

EXECUTIVE JOURNAL OF THE SENATE OF THE UNITED STATES.

[At the first session Thirty-second Congress, commencing Monday, December 1st, 1851.]

FRIDAY, DECEMBER 12, 1851.

The following messages were received from the President of the United States, by Mr. McCormick :

To the Senate of the United States :

I hereby nominate Samuel Grubb to be a justice of the peace in the county of Washington, in the District of Columbia, from the tenth day of January, eighteen hundred and fifty-two, when his commission will expire.

MILLARD FILLMORE.

WASHINGTON, *December 8, 1851.*

To the Senate of the United States :

I hereby nominate Julius C. Kretschmar, of Pennsylvania, to be consul of the United States of America for the port of Palermo, in Sicily, in the place of B. M. Edney, resigned.

MILLARD FILLMORE.

WASHINGTON, *December 8, 1851.*

To the Senate of the United States :

I hereby nominate Benjamin Robbins Curtis, of Massachusetts, who was appointed during the recess, to be one of the associate justices of the Supreme Court of the United States, in the place of Levi Woodbury, deceased.

MILLARD FILLMORE.

WASHINGTON, *December 11, 1851.*

To the Senate of the United States :

I hereby nominate Leonard W. Jerome, of New York, to be consul of the United States for the port of Trieste, in Austria.

MILLARD FILLMORE.

WASHINGTON, *December 12, 1851.*

To the Senate of the United States :

I transmit to the Senate, for its consideration with a view to ratification, a treaty of friendship, commerce, and navigation between the United States and the Republic of Costa Rica, signed in this city on the 10th day of July last.

MILLARD FILLMORE.

WASHINGTON, *12th December, 1851.*

The messages were read.

Ordered, That the nomination of Samuel Grubb be referred to the Committee on the District of Columbia.

Ordered, That the nominations of Julius C. Kretschmar and Leonard W. Jerome be referred to the Committee on Commerce.

Ordered, That the nomination of Benjamin Robbins Curtis be referred to the Committee on the Judiciary.

The treaty of friendship, commerce, and navigation between the United States of America and the Republic of Costa Rica, concluded at Washington the 10th day of July, in the year of our Lord, 1851, was read the first and second times, by unanimous consent.

On motion by Mr. Douglas,

Ordered, That the treaty and message accompanying the same be referred to the Committee on Foreign Relations and printed in confidence for the use of the Senate.

On motion by Mr. Hunter,

Ordered, That the Secretary be directed to furnish to J. C. Clark, Solicitor of the Treasury, a certified copy of the resolution of the Senate of the 15th January, 1845, confirming the appointment of Nathaniel Denby.

SATURDAY, DECEMBER 20, 1851.

The following messages were received from the President of the United States, by Mr. Fillmore, his secretary :

To the Senate of the United States :

A commission having been issued during the recess of the Senate to Nathan Sargent, as Register of the Treasury, in the place of Townsend Haines, resigned, I now nominate him to the same office.

MILLARD FILLMORE.

EXECUTIVE MANSION, *Washington, December 15, 1851.*

To the Senate of the United States :

I nominate William W. Russell to be paymaster in the Marine Corps, from the 5th of September, 1851, with the rank of major, to fill the vacancy occasioned by the death of Major George W. Walker.

MILLARD FILLMORE.

WASHINGTON, *December 16, 1851.*

To the Senate of the United States :

I nominate Charles H. Ladd, of New Hampshire, to be Navy agent for the naval station at Portsmouth, New Hampshire, for four years, to fill the vacancy occasioned by the resignation of Charles W. Cutter.

MILLARD FILLMORE.

WASHINGTON, *December 16th, 1851.*

To the Senate of the United States :

I hereby nominate Nicholas Callan to be a justice of the peace in the county of Washington, in the District of Columbia.

MILLARD FILLMORE.

WASHINGTON, *December 15, 1851.*

To the Senate of the United States :

I nominate Lewis E. Simonds to be a captain in the Navy, from the 6th of April, 1851, to fill a vacancy occasioned by the death of Captain Alexander S. Wadsworth.

Harrison H. Cocke to be a captain in the Navy, from the 22d of April, 1851, to fill a vacancy occasioned by the death of Captain Samuel Barron.

William J. McCluney to be a captain in the Navy, from the 13th of October, 1851, to fill a vacancy occasioned by the death of Captain Lewis Warrington.

Lloyd B. Newell to be a commander in the Navy, from the 6th of April, 1851, to fill the vacancy occasioned by the promotion of Commander Lewis E. Simonds.

William S. Ogden to be a commander in the Navy, from the 22d of April, 1851, to fill the vacancy occasioned by the promotion of Commander Harrison H. Cocke.

Frederick A. Neville to be a commander in the Navy, from the 15th of July, 1851, to fill a vacancy occasioned by the death of Commander Thomas J. Leib.

Charles C. Turner to be a commander in the Navy, from the 20th of July, 1851, to fill a vacancy occasioned by the death of Commander James D. Knight.

John Manning to be a commander in the Navy, from the 13th of October, 1851, to fill a vacancy occasioned by the promotion of Commander William J. McCluney.

James L. Lardner, to be a commander in the Navy, from the 21st of November, 1851, to fill a vacancy occasioned by the resignation of Commander Joseph Mattison.

Henry Rodgers to be a lieutenant in the Navy, from the 26th of March, 1851, to fill a vacancy occasioned by the dismissal of Lieutenant E. C. Ward.

John M. B. Clitz to be a lieutenant in the Navy, from the 6th of April, 1851, to fill a vacancy occasioned by the promotion of Lieutenant Lloyd B. Newell.

John D. Read to be a lieutenant in the Navy, from the 8th of April, 1851, to fill a vacancy occasioned by the resignation of Lieutenant Robert Townsend.

Courtlandt Benham to be a lieutenant in the Navy, from the 9th of April, 1851, to fill a vacancy occasioned by the death of Lieutenant James S. Ridgely.

John T. Abbott to be a lieutenant in the Navy, from the 22d of April, 1851, to fill a vacancy occasioned by the promotion of Lieutenant William S. Ogden.

George H. Cooper to be a lieutenant in the Navy, from the 8th of May, 1851, to fill a vacancy occasioned by the resignation of Lieutenant James Blair.

Bayse N. Westcott to be a lieutenant in the Navy, from the 11th of June, 1851, to fill a vacancy occasioned by the dismissal of Lieutenant Charles G. Hunter.

William Winder Pollock to be a lieutenant in the Navy, from the 15th of July, 1851, to fill a vacancy occasioned by the promotion of Frederick A. Neville.

I. Fenwick Stenson to be a lieutenant in the Navy, from the 29th of August, 1851, to fill a vacancy occasioned by the death of Lieutenant Charles C. Barton.

Andrew Bryson to be a lieutenant in the Navy, from the 30th of August, 1851, to fill the vacancy occasioned by the promotion of Charles C. Turner.

John Downes, jr, to be a lieutenant in the Navy, from the 15th of August, 1851, to fill a vacancy occasioned by the death of Lieutenant Wilson R. McKinney.

Charles M. Morris to be a lieutenant in the Navy, from the 13th of October, 1851, to fill a vacancy occasioned by the promotion of Lieutenant John Manning.

Andrew J. Drake to be a lieutenant in the Navy, from the 16th of October, 1851, to fill a vacancy occasioned by the resignation of Lieutenant William S. Drayton.

James H. Spotts to be a lieutenant in the Navy, from the 21st of November, 1851, to fill a vacancy occasioned by the promotion of Lieutenant James L. Lardner.

James M. Duncan to be a lieutenant in the Navy, from the 2d of December, 1851, to fill a vacancy occasioned by the resignation of Lieutenant Richard W. Meade.

Lardner Gibbon to be a lieutenant in the Navy, from the 5th of December, 1851, to fill a vacancy occasioned by the death of Lieutenant William Preston Griffin.

Charles F. Fahs to be an assistant surgeon in the Navy, from the 19th of April, 1851, to fill a vacancy occasioned by the resignation of Passed Assistant Surgeon Richard T. Maxwell.

Jenks H. Otis to be an assistant surgeon in the Navy, from the 19th of April, 1851, to fill a vacancy occasioned by the resignation of Passed Assistant Surgeon Richard McSherry.

Frederick Horner, j'r, to be an assistant surgeon in the Navy, from the 1st of May, 1851, to fill a vacancy occasioned by the death of Assistant Surgeon Alex'r J. Rice.

James B. Whiting to be an assistant surgeon in the Navy, from the 1st of May, 1851, to fill a vacancy occasioned by the resignation of Assistant Surgeon Walter Hore.

Randolph Harrison to be an assistant surgeon in the Navy, from the 4th of August, 1851, to fill a vacancy occasioned by the death of Assistant Surgeon Charles H. Oakley.

William E. Wysham to be an assistant surgeon in the Navy, from the 24th of September, 1851, to fill a vacancy occasioned by the resignation of Assistant Surgeon William F. Carrington.

John C. Hunter to be a purser in the Navy, from the 29th of May, 1851, to fill a vacancy occasioned by the resignation of Purser Hugh W. Greene.

MILLARD FILLMORE.

WASHINGTON, *December 16, 1851.*

To the Senate of the United States :

A commission having been granted during the recess of the Senate to L. E. Reynolds as acting architect for continuing the construction of the custom-house at New Orleans, in the State of Louisiana, I now nominate him to the same.

MILLARD FILLMORE.

EXECUTIVE MANSION, *Washington, December 18, 1851.*

To the Senate of the United States :

Commissions having been granted during the recess of the Senate to the following persons for the offices respectively annexed to their names, I now nominate them to the same, viz:

Oliver D. Peabody as collector of the customs for the district of Champlain and inspector of the revenue for the port of Plattsburgh, in the State of New York, vice Ezra Smith, removed.

James R. Thompson as collector of the customs for the district of Genesee and inspector of the revenue for the port of Rochester, in the State of New York, vice Elias Pond, removed.

Hario Case as collector of the customs for the district and inspector of the revenue for the port of Sandusky, in the State of Ohio, vice John Youngs, removed.

Alexander D. Moore as collector of the customs for the district of Wilmington, in the State of North Carolina, vice Robert G. Rankin, resigned.

George C. Laurason as collector of the customs for the district of New Orleans, in the State of Louisiana, vice William Freret, removed.

David A. Bokee as naval officer for the district of New York, in the State of New York, vice Philip Hone, deceased.

William Christy as surveyor for the district and inspector of the revenue for the port of New Orleans, in the State of Louisiana, vice Robert B. Stille, removed.

James T. Bourne as surveyor and inspector of the revenue for the port of Memphis, in the State of Tennessee, vice Tobias Wolf, resigned.

P. P. Labarre as surveyor and inspector of the revenue for the port Bayou Saint John, in the State of Louisiana, vice Charles B. Lenes, deceased.

Thomas I. Kilby as surveyor and inspector of the revenue for the port of Suffolk, in the State of Virginia, vice Thomas W. G. Allen, deceased, who was appointed in the place of Benjamin Reddick, resigned.

Egbert Benson as appraiser of merchandise under the act approved March 3, 1851, vice Mathias B. Edgar, declined.

Lewis Sutton as appraiser of merchandise under the act approved March 3, 1851, vice Hugh W. Evans, declined.

Nathaniel F. Williams as appraiser for the port of Baltimore, in the State of Maryland, vice Michael McBlair, removed.

MILLARD FILLMORE.

EXECUTIVE MANSION, *Washington, December 18, 1851.*

To the Senate of the United States:

I hereby nominate the persons herein named for the offices to which they were appointed during the last recess of the Senate:

Jerome Fuller, of New York, to be chief justice of the supreme court of the United States for the Territory of Minnesota, in the place of Aaron Goodrich, removed.

Ferdinand Coxe, of Pennsylvania, to be secretary of the legation of the United States of America in Brazil, in the place of Franklin H. Clack, resigned.

Alexander Wilkin, of Minnesota, to be secretary of the Territory of Minnesota, in the place of Charles K. Smith, removed.

William Duer, of New York, to be consul of the United States for the port of Valparaiso, in the Republic of Chili, in the place of Z. W. Potter, removed.

Joseph Graham, of Ohio, to be consul of the United States for the port of Buenos Ayres, in the place of E. A. Saunders, removed.

Nicholas J. Keefe, of New Jersey, to be consul of the United States for the port of Laguayra, in the Republic of Venezuela, in the place of Louis Baker, removed.

Timothy Darling to be consul of the United States for the port of Nassau, in the Island of New Providence, in the place of Julius C. Kretschmar, removed.

Francis W. Rice, of San Francisco, to be consul of the United States for the port of Acapulco, in Mexico, in the place of N. A. McClure, removed.

Valentine Holmes, of Pennsylvania, to be consul of the United States for the port of Belfast, in Ireland, in the place of Cornelius McCaullay, who declines the appointment.

W. L. Sharkey, of Mississippi, to be consul of the United States at Havana, in the Island of Cuba, in the place of Allen F. Owen, removed.

Alfred Wheeler, of California, to be attorney of the United States for the southern district of California, in the place of J. M. Jones, appointed judge.

John T. Bush, of New York, to be marshal of the United States for the northern district of New York, in the place of Palmer V. Kellogg, removed.

William H. C. Mills, of Georgia, to be marshal of the United States for the district of Georgia, in the place of William M. Brown, resigned.

Joseph W. Furbur, of Minnesota, to be marshal of the United States for the Territory of Minnesota, in the place of Henry L. Tilden, removed.

To be justices of the peace in the county of Washington, in the District of Columbia: Joseph N. Fearson, Pierce Shoemaker, Henry Reaver, John D. Clarke, William Waters.

MILLARD FILLMORE.

WASHINGTON, *December 19, 1851.*

To the Senate of the United States:

The persons hereinafter named having been appointed to fill vacancies occurring during the recess of the Senate in the offices hereinafter specified, I do hereby nominate—

Morris E. Fuller to be deputy postmaster at Rocktown, in the county of Herkimer and State of New York;

William T. Willard to be deputy postmaster at Troy, in the county of Rensselaer, in the State of New York;

Benjamin F. Hall to be deputy postmaster at Augusta, in the county of Richmond and State of Georgia;

Crawford Bell to be deputy postmaster at Evansville, in the county of Vanderburgh, in the State of Indiana;

James A. Nisbet to be deputy postmaster at Macon, in the county of Bibb, in the State of Georgia;

Bryan M. Morel to be deputy postmaster at Savannah, in the county of Chatham, in the State of Georgia;

Anson Hart to be deputy postmaster at Iowa City, in the county of Johnson and State of Iowa;

Miles Nash to be deputy postmaster at Tallahassee, in the county of Leon and State of Florida;

James O. Putnam to be deputy postmaster at Buffalo, in the county of Erie and State of New York;

Benjamin Gardner to be deputy postmaster at Eufaula, in the county of Barbour and State of Alabama;

Dexter C. Bloomer to be deputy postmaster at Seneca Falls, in the county of Seneca and State of New York;

William H. Robbins to be deputy postmaster at Du Buque, in the county of Du Buque and State of Iowa;

Alexander McAllister to be deputy postmaster at West Troy, in the county of Albany and State of New York;

Norborne C. Brooks to be deputy postmaster at Staunton, in the county of Augusta and State of Virginia; and

J. G. Candee to be deputy postmaster at Stockton, in the county of San Joaquin and State of California.

MILLARD FILLMORE.

WASHINGTON, D. C., *December 18, 1851.*

The messages were read.

Ordered, That the nomination of Nathan Sargent be referred to the Committee on Finance.

Ordered, That the nominations of William H. Russell, Charles H. Ladd, and of the officers for promotion in the Navy be referred to the Committee on Naval Affairs.

Ordered, That the nominations of Nicholas Callan and other persons to be justices of the peace be referred to the Committee on the District of Columbia.

Ordered, That the nominations of L. E. Reynolds, of the officers of the customs, and of the consuls be referred to the Committee on Commerce.

Ordered, That the nominations of Jerome Fuller, Alfred Wheeler, John T. Bush, William H. C. Mills, and Joseph W. Furbur be referred to the Committee on the Judiciary.

Ordered, That the nomination of Ferdinand Coxe be referred to the Committee on Foreign Relations.

Ordered, That the nominations of deputy postmasters be referred to the Committee on the Post-Office and Post-Roads.

Mr. Butler, from the Committee on the Judiciary, to whom was referred, the 12th instant, the nomination of Benjamin Robbins Curtis, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Hamlin, from the Committee on Commerce, to whom were referred, the 12th instant, the nominations of Julius C. Kretschmar and Leonard W. Jerome, reported.

Mr. Brodhead presented a memorial of Hugh E. Dungan, a brevet second lieutenant in the Fourth Regiment United States Artillery, stating that he had been deprived of promotion to which he was entitled, and praying for redress.

Ordered, That it be referred to the Committee on Military Affairs.

TUESDAY, DECEMBER 29, 1851.

The following messages were received from the President of the United States, by Mr. Fillmore, his secretary:

To the Senate of the United States:

I nominate the officers named in the accompanying list for regular promotion and for appointment in the Army of the United States, as proposed by the Secretary of War.

MILLARD FILLMORE.

WASHINGTON, *December 19, 1851.*

WAR DEPARTMENT, *December 19, 1851.*

SIR: I have the honor to propose, for your approbation, the annexed list of regular promotions and appointments in the Army of the United States.

I am, with great respect, your obedient servant,

C. M. CONRAD,
Secretary of War.

To the PRESIDENT OF THE UNITED STATES.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, December 19, 1851.

SIR: I have the honor respectfully to lay before you a list of regular promotions and of appointments in the Army of the United States, to fill vacancies which are known to have happened since the adjournment of the Senate in March last.

I am, sir, very respectfully, your obedient serv't,

R. JONES,
Adjutant-General.

Hon. C. M. CONRAD,
Secretary of War.

WAR DEPARTMENT, *December 19, 1851.*

PROMOTIONS AND APPOINTMENTS IN THE ARMY OF THE UNITED STATES.

PROMOTIONS.

Quartermaster's Department.

Lieutenant-Colonel Thomas F. Hunt, deputy quartermaster-general, to be assistant quartermaster-general with the rank of colonel, September 16, 1851, vice Whiting, deceased.

Major Daniel D. Tompkins, quartermaster, to be deputy quartermaster-general with the rank of lieutenant-colonel, September 16, 1851, vice Hunt, promoted.

Medical Department.

Assistant Surgeon Charles M. Hitchcock to be surgeon, February 13, 1851, vice Hammond, deceased.

Corps of Topographical Engineers.

First Lieutenant William H. Emory to be captain, April 24, 1851, vice Linnard, deceased.

First Lieutenant John N. Macomb to be captain, August 4, 1851, vice Hughes, resigned.

Second Lieutenant Amiel W. Whipple to be first lieutenant, April 24, 1851, vice Emory, promoted.

Second Lieutenant George Meade to be first lieutenant, August 4, 1851, vice Macomb, promoted.

Brevet Second Lieutenant Francis T. Bryan to be second lieutenant, April 24, 1851, vice Whipple, promoted.

Brevet Second Lieutenant George H. Derby to be second lieutenant, August 4, 1851, vice Meade, promoted.

Ordinance Department.

Lieutenant-Colonel Henry K. Craig to be colonel, July 10, 1851, vice Talcott, dismissed.

Major Rufus L. Baker to be lieutenant-colonel, July 10, 1851, vice Craig, promoted.

Captain Edward Harding to be major, July 10, 1851, vice Baker, promoted.

First Lieutenant Peter V. Hagner to be captain, July 10, 1851, vice Harding, promoted.

Second Lieutenant Thomas J. Brereton to be first lieutenant, October 31, 1851, vice Deshon, resigned.

Brevet Second Lieutenant Stephen V. Benét to be second lieutenant, July 10, 1851, vice Deshon, promoted.

Brevet Second Lieutenant Silas Crispin to be second lieutenant, October 31, 1851, vice Brereton, promoted.

First Regiment of Dragoons.

First Lieutenant John W. F. Gardiner to be captain, October 9, 1851, vice Kearny, resigned.

Second Lieutenant John Adams to be first lieutenant, October 9, 1851, vice Gardiner, promoted.

Second Lieutenant Thomas F. Caster to be first lieutenant, October 9, 1851, vice Coutts, resigned.

Brevet Second Lieutenant Robert Ransom, jr., to be second lieutenant, October 9, 1851, vice Adams, promoted.

Second Regiment of Dragoons.

First Lieutenant Oscar F. Winship to be captain, June 30, 1851, vice Saunders, resigned.

First Lieutenant Reuben P. Campbell to be captain, August 8, 1851, vice Hamilton, deceased.

First Lieutenant William Steele to be captain, November 10, 1851, vice Ker, resigned.

Second Lieutenant Thomas J. Wood (adjutant of the regiment), to be first lieutenant, June 30, 1851.

Second Lieutenant James Oakes to be first lieutenant, June 30, 1851, vice Winship, promoted.

Second Lieutenant William D. Smith to be first lieutenant, August 8, 1851, vice Campbell, promoted.

Second Lieutenant Arthur D. Tree to be first lieutenant, October 11, 1851, vice McDonald, deceased.

Second Lieutenant Arthur D. Tree to be first lieutenant, October 11, 1851, vice McDonald, deceased.

Second Lieutenant Samuel H. Starr to be first lieutenant, November 10, 1851, vice Steele, promoted.

Brevet Second Lieutenant Charles W. Field to be second lieutenant, June 30, 1851, vice Oakes, promoted.

Brevet Second Lieutenant Lucius M. Walker to be second lieutenant, August 8, 1851, vice Smith, promoted.

Brevet Second Lieutenant John P. Holiday to be second lieutenant, October 11, 1851, vice Tree, promoted.

Brevet Second Lieutenant Thomas Bingham to be second lieutenant, November 10, 1851, vice Starr, promoted.

Regiment of Mounted Riflemen.

First Lieutenant Andrew J. Lindsay to be captain, June 30, 1851, vice Backenstos, resigned.

First Lieutenant John G. Walker to be captain, June 30, 1851, vice Tucker, resigned.

Second Lieutenant George W. Hawkins to be first lieutenant, June 30, 1851, vice Lindsay, promoted.

Second Lieutenant John P. Hatch to be first lieutenant, June 30, 1851, vice Walker, promoted.

Brevet Second Lieutenant George W. Howland to be second lieutenant, June 30, 1851, vice Hawkins, promoted.

Brevet Second Lieutenant Eugene A. Carr to be second lieutenant, June 30, 1851, vice Hatch, promoted.

First Regiment of Artillery.

First Lieutenant Henry D. Grafton to be captain, September 4, 1851, vice Fowler, deceased.

Second Lieutenant Ambrose P. Hill to be first lieutenant, September 4, 1851, vice Grafton, promoted.

Brevet Second Lieutenant James P. Flewellen, of the Second Regiment of Artillery, to be second lieutenant, February 22, 1851, vice Tillinghast, promoted, to stand on the Army Register next below Lieutenant Amos Beckwith.

Brevet Second Lieutenant Caleb Huse to be second lieutenant, September 4, 1851, vice Hill, promoted.

Second Regiment of Artillery.

Second Lieutenant John McL. Taylor to be first lieutenant, June 30, 1851, vice Lansing, resigned.

Second Lieutenant Lloyd Beall to be first lieutenant, June 30, 1851, vice Edwards, resigned.

Brevet Second Lieutenant John A. Mebane to be second lieutenant, June 30, 1851, vice Taylor, promoted.

Brevet Second Lieutenant Armistead L. Long, of the Third Regiment of Artillery, to be second lieutenant, June 30, 1851, vice Beall, promoted.

Third Regiment of Artillery.

Second Lieutenant Horatio G. Gibson to be first lieutenant, May 20, 1851, vice Hammond, resigned.

Second Lieutenant Ambrose E. Burnside to be first lieutenant, December 12, 1851, vice McNiell, cashiered.

Brevet Second Lieutenant Richard Arnold to be second lieutenant, May 26, 1851, vice Gibson, promoted.

Brevet Second Lieutenant Charles S. Winder to be second lieutenant, July 21, 1851, vice Patton, resigned.

Brevet Second Lieutenant Alexander Piper to be second lieutenant, December 12, 1851, vice Burnside, promoted.

First Regiment of Infantry.

Major Henry Bainbridge, of the Seventh Regiment of Infantry, to be lieutenant-colonel, June 11, 1851, vice Wilson, promoted to the Seventh Regiment of Infantry.

First Lieutenant Stephen D. Carpenter to be captain, October 17, 1851, vice Plummer, deceased.

Second Lieutenant Charles N. Underwood to be first lieutenant, October 17, 1851, vice Carpenter, promoted.

Brevet Second Lieutenant Samuel H. Reynolds to be second lieutenant, October 17, 1851, vice Underwood, promoted.

Second Regiment of Infantry.

Lieutenant-Colonel Ethan A. Hitchcock, of the Third Regiment of Infantry, to be colonel, April 15, 1851, vice Brady, deceased.

First Lieutenant Nathaniel Lyon to be captain, June 11, 1851, vice Smith, promoted to the Seventh Regiment of Infantry, and Canby, assistant adjutant-general, who vacates his regimental commission.

Second Lieutenant Tredwell Moore to be first lieutenant, June 11, 1851, vice Canby, assistant adjutant-general, who vacates his regimental commission.

Second Lieutenant Thomas W. Sweeney to be first lieutenant, June 11, 1851, vice Lyon, promoted.

Brevet Second Lieutenant Austin N. Colcord to be second lieutenant, June 11, 1851, vice Moore, promoted.

Brevet Second Lieutenant Joseph T. Haile to be second lieutenant, June 11, 1851, vice Sweeney, promoted.

Brevet Second Lieutenant William H. Morris to be second lieutenant, December 3, 1851, vice Johns, resigned.

Third Regiment of Infantry.

Major Dixon S. Miles, of the Fifth Regiment of Infantry, to be lieutenant-colonel, April 15, 1851, vice Hitchcock, promoted to the Second Regiment of Infantry.

First Lieutenant William P. H. Brooks to be captain, November 10, 1851, vice Alexander, promoted to the Eighth Regiment of Infantry.

Second Lieutenant William H. Wood to be first lieutenant, September 9, 1851, vice Williamson, resigned.

Second Lieutenant John D. Wilkins to be first lieutenant, November 10, 1851, vice Brooks, promoted.

Brevet Second Lieutenant Martin P. Parks, jr., to be second lieutenant, July 24, 1851, vice Brower, dismissed.

Brevet Second Lieutenant William D. Whipple to be second lieutenant, September 9, 1851, vice Wood, promoted.

Brevet Second Lieutenant Junius Daniel to be second lieutenant, November 10, 1851, vice Wilkins, promoted.

Fourth Regiment of Infantry.

Captain Gabriel J. Rains, of the Seventh Regiment of Infantry, to be major, March 9, 1851, vice Lee, promoted to the Sixth Regiment of Infantry.

Fifth Regiment of Infantry.

Lieutenant-Colonel Gustavus Loomis, of the Sixth Regiment of Infantry, to be colonel, March 9, 1851, vice Brooke, deceased.

Major Carlos A. Waite, of the Eighth Regiment of Infantry, to be lieutenant-colonel, November 10, 1851, vice Belknap, deceased.

Captain William Hoffman, of the Sixth Regiment of Infantry, to be major, April 15, 1851, vice Miles, promoted to the Third Regiment of Infantry.

Second Lieutenant Edward F. Abbott to be first lieutenant, August 4, 1851, vice Farrelly, deceased.

Brevet Second Lieutenant Henry C. Bankhead to be second lieutenant, August 4, 1851, vice Abbott, promoted.

Sixth Regiment of Infantry.

Major Francis Lee, of the Fourth Regiment of Infantry, to be lieutenant-colonel March 8, 1851, vice Loomis, promoted to the Fifth Regiment of Infantry.

First Lieutenant Edward Johnson to be captain, April 15, 1851, vice Hoffman, promoted to the Fifth Regiment of Infantry, and Easton, assistant quartermaster, who vacates his regimental commission.

Second Lieutenant George W. Lay to be first lieutenant, April 15, 1851, vice Easton, assistant quartermaster, who vacates his regimental commission.

Second Lieutenant Charles T. Baker to be first lieutenant, April 15, 1851, vice Johnson, promoted.

Brevet Second Lieutenant William P. Carlin to be second lieutenant April 15, 1851, vice Lay promoted.

Brevet Second Lieutenant Alden Sargent to be second lieutenant, April 15, 1851, vice Baker, promoted.

Brevet Second Lieutenant James L. Corley to be second lieutenant, May 6, 1851, vice Tubbs, resigned.

Brevet Second Lieutenant Elisha G. Marshall, of the Fifth Regiment of Infantry, to be second lieutenant, May 15, 1851, vice Davis, dismissed.

Seventh Regiment of Infantry.

Lieutenant-Colonel Henry Wilson, of the First Regiment of Infantry, to be colonel, June 11, 1851, vice Arbuckle, deceased.

Captain Joseph R. Smith of the Second Regiment of Infantry, to be major, June 11, 1851, vice Bainbridge, promoted to the First Regiment of Infantry.

First Lieutenant Robert S. Garnett, to be captain, March 9, 1851, vice Rains, promoted to the Fourth Regiment of Infantry.

First Lieutenant La Fayette McLaws to be captain August 24, 1851, vice Ross, deceased, and Page and Dana, captains in the staff, who vacate their regimental commission.

Second Lieutenant Edmund K. Smith to be first lieutenant March 9, 1851, vice Garnett, promoted.

Second Lieutenant Matthew R. Stevenson to be first lieutenant, August 24, 1851, vice Page, assistant adjutant-general, who vacates his regimental commission.

Second Lieutenant William H. Tyler to be first lieutenant, August 24, 1851, vice Dana, assistant quartermaster, who vacates his regimental commission.

Second Lieutenant Cadmus M. Wilcox to be first lieutenant, August 24, 1851, vice McLaws, promoted.

Brevet Second Lieutenant William L. Cabell to be second lieutenant, March 9 1851, vice E. K. Smith, promoted.

Brevet Second Lieutenant Gurden Chapin to be second lieutenant, August 24, 1851, vice Stevenson, promoted.

Brevet Second Lieutenant Thomas J. C. Amory to be second lieutenant, August 24, 1851, vice Tyler, promoted.

Brevet Second Lieutenant Edward A. Palfrey to be second lieutenant, August 24, 1851, vice Wilcox, promoted.

Eighth Regiment of Infantry.

Captain Edmund B. Alexander, of the Third Regiment of Infantry, to be major, November 10, 1851, vice Waite, promoted to the Fifth Regiment of Infantry.

First Lieutenant Charles D. Jordan to be captain, May 15, 1851, vice Screven, deceased.

Second Lieutenant Edward D. Blake to be first lieutenant, May 15, 1851, vice Jordan, promoted.

Brevet Second Lieutenant James McIntosh to be second lieutenant, May 15, 1851, vice Blake, promoted.

II. APPOINTMENTS.

Medical Department.

William H. Tingley, of Pennsylvania, to be assistant surgeon, March 24, 1851, vice Hitchcock, promoted.

John J. Milhan, of New York, to be assistant surgeon, April 30, 1851, vice Hewit, resigned.

Aquila F. Ridgely, of Maryland, to be assistant surgeon, June 30, 1851, vice Kennedy, deceased.

Corps of Engineers.

Cadet George L. Andrews to be brevet second lieutenant, July 1, 1851.

Cadet James St. C. Morton to be brevet second lieutenant, July 1, 1851.

Ordnance Department.

Cadet George T. Balch to be brevet second lieutenant, July 1, 1851.

Cadet William T. Welcker to be brevet second lieutenant, July 1, 1851.

First Regiment of Dragoons.

Cadet Isaiah N. Moore to be brevet second lieutenant, July 1, 1851.

Cadet Robert Williams to be brevet second lieutenant, July 1, 1851.

Cadet John Mendenhall to be brevet second lieutenant, July 1, 1851.

Second Regiment of Dragoons.

Cadet Ben Hardin Helm to be brevet second lieutenant, July 1, 1851.

Cadet David Bell to be brevet second lieutenant, July 1, 1851.

Cadet Charles E. Norris to be brevet second lieutenant, July 1, 1851.

Regiment of Mounted Riflemen.

Cadet Hyatt C. Ransom to be second lieutenant, July 1, 1851.

Cadet Alexander McRae to be second lieutenant, July 1, 1851.

Cadet Roger Jones, jr., to be brevet second lieutenant, July 1, 1851.

Cadet Joseph G. Tillford to be brevet second lieutenant, July 1, 1851.

Cadet Lawrence S. Baker to be brevet second lieutenant, July 1, 1851.

First Regiment of Artillery.

Cadet Caleb Huse to be brevet second lieutenant July 1, 1851.

Cadet Alvan C. Gillem to be brevet second lieutenant, July 1, 1851.

Cadet Henry E. Maynadier to be brevet second lieutenant, July 1, 1851.

Second Regiment of Artillery.

Cadet James Thompson to be brevet second lieutenant, July 1, 1851.

Cadet Edward H. Day to be brevet second lieutenant, July 1, 1851.

Cadet Alexander J. Perry to be brevet second lieutenant, July 1, 1851.

Third Regiment of Artillery.

Cadet Alexander Piper to be brevet second lieutenant, July 1, 1851.

Cadet John Edwards, jr., to be brevet second lieutenant, July 1, 1851.

Fourth Regiment of Artillery.

Cadet Kenner Garvard to be brevet second lieutenant, July 1, 1851.

Cadet Albert J. S. Molinard to be brevet second lieutenant, July 1, 1851.

First Regiment of Infantry.

Cadet James B. Greene to be brevet second lieutenant, July 1, 1851.

Second Regiment of Infantry.

Cadet William H. Morris to be brevet second lieutenant, July 1, 1851.

Cadet James Curtiss, jr., to be brevet second lieutenant, July 1, 1851.

Cadet Adolphus F. Bond to be brevet second lieutenant, July 1, 1851.

Third Regiment of Infantry.

Cadet Martin P. Parks, jr., to be brevet second lieutenant, July 1, 1851.

Cadet William D. Whipple to be brevet second lieutenant, July 1, 1851.

Cadet Junius Daniel to be brevet second lieutenant, July 1, 1851.

Fourth Regiment of Infantry.

Cadet Henry C. Hodges to be brevet second lieutenant, July 1, 1851.

Fifth Regiment of Infantry.

Cadet Henry F. Witter to be brevet second lieutenant, July 1, 1851.

Sixth Regiment of Infantry.

Cadet John C. Kelton to be brevet second lieutenant, July 1, 1851.

Cadet Robert E. Patterson to be brevet second lieutenant, July 1, 1851.

Cadet John T. Shaaff to be brevet second lieutenant, July 1, 1851.

Seventh Regiment of Infantry.

Cadet Gurden Chapin to be brevet second lieutenant, July 1, 1851.

Cadet Thomas J. C. Amory to be brevet second lieutenant, July 1, 1851.

Cadet Edward A. Palfrey to be brevet second lieutenant, July 1, 1851.

Eighth Regiment of Infantry.

Cadet Melancthon Smith to be brevet second lieutenant, July 1, 1851.

Briscoe G. Baldwin, jr., of Alabama, to be a military storekeeper in the Ordnance Department, October 3, 1851, vice McRea, resigned.

William C. Whitridge, of Connecticut, to be a military storekeeper in the Ordnance Department, December 16, 1851, vice John S. Evans, removed.

To the Senate of the United States :

I nominate Joshua Follansbee and Benjamin F. Isherwood to be chief engineers in the Navy, from the 31st of October, 1848, under the 4th section of the naval appropriation law, approved March 3d, 1851.

MILLARD FILLMORE.

WASHINGTON, *December 22, 1851.*

The messages were read.

Ordered, That the nominations for promotion and appointment in the Army be referred to the Committee on Military Affairs.

Ordered, That the nominations of Joshua Follansbee and Benjamin F. Isherwood be referred to the Committee on Naval Affairs.

Mr. Douglas, from the Committee on Territories, to whom was referred, the 20th instant, the nomination of Alexander Wilkin; reported.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred, the 20th instant, the nomination of Ferdinand Coxe; reported.

Mr. Bradbury, from the Committee on the Judiciary, to whom was referred the nomination of John T. Bush, reported.

Mr. Bradbury, from the Committee on the Judiciary, to whom was referred, the 20th instant, the nomination of William H. C. Mills, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

THURSDAY, JANUARY 15, 1852.

The following messages were received from the President of the United States, by Mr. Fillmore, his secretary:

To the Senate of the United States :

I hereby nominate Horace H. Miller, of Mississippi, to be chargé d'affaires of the United States to the Republic of Bolivia, in the place of A. K. McClung, resigned.

MILLARD FILLMORE.

WASHINGTON, *December 26th, 1851.*

To the Senate of the United States:

I nominate Paymaster Thomas J. Leslie for promotion in the Pay Department of the Army, as proposed by the Secretary of War.

MILLARD FILLMORE.

WASHINGTON, *December 26, 1851.*

WAR DEPARTMENT, *December 26, 1851.*

REGULAR PROMOTION IN THE PAY DEPARTMENT OF THE ARMY OF
THE UNITED STATES.

PROMOTION.

Paymaster Thomas J. Leslie to be deputy paymaster-general, December 17, 1851, vice Randall, deceased.

C. M. CONRAD,
Secretary of War.

To the Senate of the United States:

I nominate Benjamin W. Brice, of Ohio, to be a paymaster in the Army, to fill a vacancy occasioned by the promotion of Paymaster Thomas J. Leslie to be deputy paymaster-general.

MILLARD FILLMORE.

WASHINGTON, *December 26, 1851.*

To the Senate of the United States:

I nominate James Magoffin to be reappointed as register of the land office at St. Stephens, Alabama, for four years from the 30th instant, when his present term of office will expire.

MILLARD FILLMORE.

WASHINGTON, *December 27, 1851.*

To the Senate of the United States:

I hereby nominate Samuel J. Oakford to be consul of the United States at Tumbez, in Peru.

MILLARD FILLMORE.

WASHINGTON, *December 27th, 1851.*

To the Senate of the United States:

I hereby nominate George King Rogers, of Louisiana, to be consul of the United States for the port of Lyons, in France, in place of James Heubebert, removed.

MILLARD FILLMORE.

WASHINGTON, *December 29, 1851.*

To the Senate of the United States:

I nominate Brevet First Lieutenant Oliver H. P. Taylor, second lieutenant in the First Regiment of Dragoons, to be captain by brevet, for gallant and meritorious conduct in the battle of Santa Cruz de Rosales, Mexico, to date from March 16, 1848, as proposed in the accompanying communication of the Secretary of War.

MILLARD FILLMORE.

WASHINGTON, *December 29, 1851.*

WAR DEPARTMENT, *December 29, 1851.*

SIR: I have the honor to lay before you a report from the Adjutant-General of the Army, dated the 13th instant, relative to a brevet com-

mission of captain conferred on Oliver H. *Perry*, which was designed for Brevet 1st Lieutenant Oliver H. Perry *Taylor*, of the 1st Dragoons; and for the reasons therein set forth, I respectfully recommend that the misnomer be now corrected by submitting to the Senate the following nomination:

To the PRESIDENT OF THE UNITED STATES.

Brevet First Lieutenant Oliver H. P. Taylor, second lieutenant of the First Regiment of Dragoons, to be captain by brevet, for gallant and meritorious conduct in the battle of Santa Cruz de Rosales, Mexico, to date from March 16, 1848.

I am, sir, with great respect, your obedt. servant,

C. M. CONRAD,
Secretary of War.

ADJUTANT-GENERAL'S OFFICE,
Washington, December 13, 1851.

SIR: It has been recently brought to my notice that a brevet commission of captain, intended for Brevet 1st Lieutenant Oliver H. Perry Taylor, of the 1st Dragoons, has been withheld from him in consequence of the accidental omission of his surname of *Taylor*.

The commission referred to bears date March 3, 1849, is signed by the late President Polk, and confers on Brevet 1st Lieutenant Oliver H. *Perry*, the rank of captain by brevet, from March 16, 1848, for "gallant and meritorious conduct in the battle of Santa Cruz de Rosales, Mexico."

On an examination of the matter I find that the error occurred in the original nomination list of brevet promotions, which, contrary to the usual practice, was not prepared in the Adjutant-General's Office, but in the War Office. The following is an extract of so much of this list as refers to the case under consideration:

"List of officers for brevet promotion 'for gallant and meritorious conduct in the battle of Santa Cruz de Rosales, Mexico,' to rank from the 16th of March, 1848:

* * * * *

"Brevet First Lieutenant Oliver H. Perry, 2d lieutenant 1st Dragoons, to be captain by brevet."

* * * * *

The Senate, by resolution dated March 2, 1849, confirmed this nomination, and the commission was made out accordingly, as above stated.

At the time of the nomination there was no Lieutenant Oliver H. Perry in service, nor has there ever been an officer of that name in the Army. Lieutenant Oliver H. Perry Taylor was undoubtedly the officer referred to in the nomination, and as a clerical error should not be allowed to prejudice his rank, I respectfully recommend that the matter be now rectified by nominating him anew to the Senate, as follows:

Brevet First Lieutenant Oliver H. P. Taylor, of the First Regiment of Dragoons, to be captain by brevet for gallant and meritorious conduct in the battle of Santa Cruz de Rosales, Mexico, to date from March 16, 1848.

Respectfully submitted.

R. JONES,
Adjutant-General.

Honorable C. M. CONRAD,
Secretary of War.

To the Senate of the United States:

I nominate Doctor Charles Page, of Virginia, for the appointment of assistant surgeon in the Army of the United States, as proposed in the accompanying communication of the Secretary of War.

WASHINGTON, *December 29, 1851.*

MILLARD FILLMORE.

WAR DEPARTMENT,
Washington, December 29, 1851.

SIR: I have the honor respectfully to propose for your approbation the name of Doctor Charles Page, of Virginia, to be an assistant surgeon in the Army of the United States, vice Tingley, resigned, to date from December 2, 1851. Doctor Page is the first legally qualified candidate for appointment as assistant surgeon under the first section of the act of June 30, 1834.

I am, sir, very respectfully, your obedient servant,

C. M. CONRAD,
Secretary of War.

To the PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate Robert Hare to be collector of the customs for the district of Teche and inspector of the revenue for the port of Franklin, in the State of Louisiana, in the place of Daniel Dwight, deceased.

MILLARD FILLMORE.

EXECUTIVE MANSION, *Washington, December 31, 1851.*

To the Senate of the United States:

I hereby nominate John Dickey, of Pennsylvania, to be marshal of the United States for the western district of Pennsylvania, in the place of William Irvin, resigned.

MILLARD FILLMORE.

WASHINGTON, *January 2, 1852.*

To the Senate of the United States:

I nominate Thomas I. Dryer to be surveyor and inspector of the revenue for the port of Portland, in the Territory of Oregon, in the place of William M. King, removed.

MILLARD FILLMORE.

EXECUTIVE MANSION, *Washington, January 2, 1852.*

To the Senate of the United States:

I nominate Spencer M. Baird, of New Mexico, to be agent for the Indians in that Territory, in place of R. H. Weightman, resigned.

MILLARD FILLMORE.

WASHINGTON, *January 3d, 1852.*

To the Senate of the United States:

I nominate Elisha Whittlesey and Elias S. Terry to be commissioners under the 17th article of the treaty concluded with the Cherokee tribe of Indians, at New Echota, on the 29th day of December, 1835, to adjudicate the claim of David Taylor for six hundred and forty acres of land which has been duly appraised in accordance with the terms of the 9th article of said treaty, but not paid for. The facts of the case will more fully appear in the accompanying papers from the Department of the Interior.

MILLARD FILLMORE.

WASHINGTON, *January 3, 1852.*

To the Senate of the United States:

I hereby nominate William Rich, of Massachusetts, to be secretary of the legation of the United States of America to the Mexican Republic, in the place of Buckingham Smith, recalled.

WASHINGTON, *January 5th, 1852.*

MILLARD FILLMORE.

To the Senate of the United States:

I nominate William F. Carrington to be an assistant surgeon in the Navy, from the 17th of June, 1848.

This nomination is intended to restore Dr. Carrington to his former position in the Navy, he having resigned on the 16th of September, 1851, there being now a vacancy occasioned by the resignation of Passed Assistant Surgeon J. Francis Tuckerman.

MILLARD FILLMORE.

WASHINGTON, *January 6th*, 1852.

To the Senate of the United States:

I hereby nominate James C. Hall to be deputy postmaster at Cincinnati, in the county of Hamilton, and State of Ohio, to fill the vacancy occasioned by the death of William Oliver, the late incumbent.

MILLARD FILLMORE.

WASHINGTON, *January 12*, 1852.

To the Senate of the United States:

I hereby nominate William R. Glover, of Kentucky (now consul at Monterey), to be consul of the United States for the port of Vera Cruz, in Mexico, in the place of W. P. Rogers, resigned.

MILLARD FILLMORE.

WASHINGTON, *January 13*, 1852.

To the Senate of the United States:

I hereby nominate Thomas Carbery, Lewis Carbery, and W. J. McCormick to be justices of the peace in the county of Washington, in the District of Columbia, from the 10th of January, 1852, when their present commissions expired.

I also nominate John H. Goddard to be a justice of the peace in the county of Washington, in the District of Columbia, from the 16th day of January, 1852, when his present commission will expire.

MILLARD FILLMORE.

WASHINGTON, *January 13*, 1852.

To the Senate of the United States:

I nominate Charles Morris, a captain in the Navy, to be chief of the Bureau of Ordnance and Hydrography, from the 15th of November, 1851, at which time he was appointed to that office to fill the vacancy occasioned by the death of Commodore Lewis Warrington.

MILLARD FILLMORE.

WASHINGTON, *January 12*, 1852.

To the Senate of the United States:

I nominate the officers named in the accompanying list for regular promotion in the Army of the United States to the several grades annexed to their names, as proposed by the Secretary of War.

MILLARD FILLMORE.

WASHINGTON, *January 13*, 1852.

WAR DEPARTMENT,
Washington, January 13, 1852.

SIR: I have the honor to propose for your approbation the annexed list of officers for regular promotion in the Army of the United States.

I am, sir, with great respect, your obedient servant,

C. M. CONRAD,
Secretary of War.

To the PRESIDENT OF THE UNITED STATES.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, Jan'y 13, 1852.

SIR: I have the honor to lay before you a list of regular promotions in the Army of the United States, to fill vacancies which are known to have happened since the date of the last list, December 26, 1851.

I am, sir, with great respect, your obedient servant,

R. JONES,
Adjutant-General.

Hon. C. M. CONRAD,
Secretary of War.

WAR DEPARTMENT, *January 13, 1852.*

REGULAR PROMOTIONS IN THE ARMY OF THE UNITED STATES.

First Regiment of Artillery.

Brevet Second Lieutenant Alvan C. Gillern to be second lieutenant, December 31, 1851, vice Nickels, resigned.

Sixth Regiment of Infantry.

Second Lieutenant Simon B. Buckner to be first lieutenant, December 31, 1851, vice Baker, resigned.

Brevet Second Lieutenant John C. Kelton to be second lieutenant, December 31, 1851, vice Buckner, promoted.

To the Senate of the United States:

I hereby nominate James Points, of Virginia, to be marshal of the United States for the western district of Virginia, from the 16th day of January, 1852, when his present commission will expire.

MILLARD FILLMORE.

WASHINGTON, *January 14, 1852.*

The messages were read.

Ordered, That the nominations of Horace H. Miller and William Rich be referred to the Committee on Foreign Relations.

Ordered, That the nominations of Thomas J. Leslie, James Magoffin, Oliver H. P. Taylor, Charles Page, Alvin C. Gillem, Simon B. Buckner, and John C. Kelton be referred to the Committee on Military Affairs.

Ordered, That the nominations of Samuel J. Oakford, George King Rogers, Robert Hare, Thomas J. Dryer, and William R. Glover be referred to the Committee on Commerce.

Ordered, That the nominations of John Dickey and James Points be referred to the Committee on the Judiciary.

Ordered, That the nomination of Spencer M. Baird be referred to the Committee on Indian Affairs.

Ordered, That the nomination of William F. Carrington be referred to the Committee on Naval Affairs.

Ordered, That the nomination of James C. Hall be referred to the Committee on the Post-Office and Post-Roads.

Ordered, That the nominations of Thomas Carbery, Louis Carbery, W. J. McCormick, and John H. Goddard be referred to the Committee on the District of Columbia.

Ordered, That the nomination of Charles Morris be referred to the Committee on Naval Affairs.

Ordered, That the nominations of Elisha Whittlesey and Elias S. Terry lie on the table.

Mr. Atchison presented the memorial of Charles Gratiot, stating that he has been unjustly dismissed from the Army of the United States, and asking an expression of the opinion of the Senate as to the legality of the course pursued towards him.

On motion by Mr. Atchison.

Ordered, That the memorial and accompanying papers be referred to the Committee on the Judiciary and printed in confidence for the use of the Senate.

Mr. Bradbury, from the Committee on the Judiciary, to whom were referred, the 20th December last, the nominations of Alfred Wheeler and Joseph W. Furber, reported.

The Senate proceeded to consider the nominations of Julius C. Kretschmar, Leonard W. Jerome, Alexander Wilkins, Ferdinand Coxe, and John T. Bush ; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

TUESDAY, JANUARY 20, 1852.

The following messages were received from the President of the United States, by Mr. Fillmore, his secretary :

To the Senate of the United States :

I nominate Edward A. Starling, who was commissioned during the recess of the Senate, to be agent for the Indians in Oregon, vice H. H. Spaulding, removed.

Alonzo A. Skinner, who was commissioned during the recess of the Senate, to be agent for the Indians in Oregon, vice Beverly S. Allen, declined.

Francis W. Lea, who was commissioned during the recess of the Senate, to be agent at the Pottowotomie Agency, vice Luke Lea, deceased.
MILLARD FILLMORE.

WASHINGTON, *January 14, 1852.*

To the Senate of the United States :

I nominate James H. Norwood, who was commissioned during the recess of the Senate, to be Indian agent at the Upper Missouri Agency, vice Peyton P. Moore, declined.

MILLARD FILLMORE.

WASHINGTON, *January 14th, 1852.*

To the Senate of the United States :

I nominate Elkanah Walker, of Oregon, to be agent for the Indians in Oregon Territory, in place of Elias Wampole, removed.

MILLARD FILLMORE.

WASHINGTON CITY, *January 14th, 1852.*

To the Senate of the United States :

I nominate Henry D. Norton to be surveyor and inspector of the revenue for the port of Copano, in the State of Texas, his late commission having on the 4th instant expired.

MILLARD FILLMORE.

EXECUTIVE MANSION, *Washington, January 14, 1852.*

To the Senate of the United States :

I nominate George B. Sargent, of Iowa, who was commissioned during the recess of the Senate, to be surveyor-general for the district of Wisconsin and Iowa.

MILLARD FILLMORE.

WASHINGTON, *January 14th*, 1852.

To the Senate of the United States :

I nominate George W. Wood, of Indiana, who was commissioned during the recess of the Senate, to be register of the land office at Fort Wayne, Indiana.

Jackson W. Faith, of Alabama, who was commissioned during the recess of the Senate, to be receiver of public moneys at St. Stephens, Alabama.

William M. Lapsley, of Alabama, who was commissioned during the recess of the Senate, to be receiver of public moneys at Cahaba, Alabama.

MILLARD FILLMORE.

WASHINGTON, *January 14th*, 1852.

To the Senate of the United States :

I nominate E. M. Burton, of Alabama, who was commissioned during the recess of the Senate, to be register of the land office at Tuscaloosa, Alabama.

Thomas J. Burke, of Alabama, who was commissioned during the recess of the Senate, to be receiver of public moneys at Tuscaloosa, Alabama.

John S. H. Rainey, of Arkansas, who was commissioned during the recess of the Senate, to be receiver of public moneys at Champagnole, Arkansas.

MILLARD FILLMORE.

WASHINGTON, *January 14th*, 1852.

To the Senate of the United States :

I nominate Antonia J. Noda, of Florida, who was commissioned during the recess of the Senate, to be register of the land office at St. Augustine, Florida.

Francis Springer, of Iowa, who was commissioned during the recess of the Senate, to be register of the land office at Fairfield, Iowa.

John F. Smith, of Wisconsin, who was commissioned during the recess of the Senate, to be register of the land office at Milwaukee, Wisconsin.

MILLARD FILLMORE.

WASHINGTON, *January 14*, 1852.

To the Senate of the United States :

I nominate Highland Hall, of Vermont, Harry J. Thornton, of Alabama, and James Wilson, of California, who were commissioned during the recess of the Senate, to be commissioners under the act of Congress approved 3d of March, 1851, entitled "An act to ascertain and settle the private land claims in the State of California," vice Joseph R. Ingersoll, Arthur F. Hopkins, and James A. Harlan, declined.

MILLARD FILLMORE.

WASHINGTON, *January 15th*, 1852.

To the Senate of the United States:

I hereby nominate Andrew J. Ogle, of Pennsylvania, to be chargé d'affaires of the United States, near the Government of Denmark, in the place of Walter Forward, resigned.

MILLARD FILLMORE.

WASHINGTON, *January 15, 1852.*

To the Senate of the United States:

I withdraw the nomination of Paymaster Thomas J. Leslie to be deputy paymaster-general, and nominate Paymaster Timothy P. Andrews, to be deputy paymaster general, to rank from December 17, 1851, vice Randall, deceased, as recommended by the Secretary of War.

MILLARD FILLMORE.

WASHINGTON, *January 16, 1852.*

WAR DEPARTMENT, *January 16, 1852.*

SIR: Paymaster Thomas J. Leslie, who was recommended to the Senate the 26th ultimo, to be promoted to the grade of deputy paymaster-general, having declined promotion, and the next senior paymaster-general having declined the promotion, and the next senior paymaster, David S. Townsend, having also declined, I respectfully recommend that the nomination of Paymaster Leslie be withdrawn, and Paymaster Timothy P. Andrews, the third on the list of paymasters, be nominated in his stead, as follows:

REGULAR PROMOTION.

Pay Department.

Paymaster Timothy P. Andrews to be deputy paymaster-general, December 17, 1851, vice Deputy Paymaster Randall, deceased, and Paymasters Leslie and Townsend, who declined promotion.

I am, sir, with great respect, your obedient servant,

C. M. CONRAD,

Secretary of War.

To the PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate Charles Morris, a captain in the Navy, to be Chief of the Bureau of Ordnance and Hydrography, to fill the vacancy occasioned by the death of Commodore Lewis Warrington.

MILLARD FILLMORE.

WASHINGTON, *January 14th, 1852.*

To the Senate of the United States:

I nominate William W. Russell to be paymaster in the Marine Corps, with the rank of major, to fill the vacancy occasioned by the death of Major George W. Walker.

MILLARD FILLMORE.

WASHINGTON, *January 19, 1852.*

The messages were read.

Ordered, That the nominations of Edward A. Starling, Alonzo A. Skinner, Francis W. Lea, James H. Norwood, and Elkanah Walker be referred to the Committee on Indian Affairs.

Ordered, That the nomination of Henry D. Norton be referred to the Committee on Commerce.

Ordered, That the nominations of George B. Sargeant, George W. Wood, Jackson W. Faith, William M. Lapsley, E. M. Burton, Thomas J. Burke, John S. H. Rainey, Antonia J. Noda, Francis Springer, John F. Smith, Hiland Hall, Harry J. Thornton, and James Wilson be referred to the Committee on Public Lands.

Ordered, That the nomination of Andrew J. Ogle be referred to the Committee on Foreign Relations.

Ordered, That the nomination of Timothy P. Andrews be referred to the Committee on Military Affairs.

Ordered, That the nominations of Charles Morris and William W. Russell be referred to the Committee on Naval Affairs.

Mr. Felch, from the Committee on Public Lands, to whom was referred, the 15th instant, the nomination of James Magoffin, reported.

Mr. Hamlin, from the Committee on Commerce, to whom were referred, the 20 December last, the nominations of Oliver D. Peabody, James R. Thompson, Harlow Case, Alexander D. Moore, James T. Bourne, P. P. Labarre, Thomas I. Kilby, Egbert Benson, Lewis Sutton, Nathaniel F. Williams, William Duer, Joseph Graham, Nicholas J. Keefe, Timothy Darling, Valentine Holmes, and W. L. Sharkey, and on the 15th of January those of George King Rogers, Samuel J. Oakford, Thomas I. Dryer, and William R. Glover, reported.

Mr. Shields, from the Committee on the District of Columbia, to whom were referred, the 12th December last, the nomination of Samuel Grubb, on the 20th December those of Nicholas Callan, Joseph N. Fearson, Peirce Shoemaker, Henry Reaver, John D. Clark, and William Waters, and on the 15th instant those of Thomas Carbery, Lewis Carbery, W. J. McCormick, and John H. Goddard, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

THURSDAY, JANUARY 22, 1852.

The following message was received from the President of the United States, by Mr. Fillmore, his secretary:

To the Senate of the United States :

I nominate Spruce M. Baird, of New Mexico, to be agent for the Indians in that Territory, to correct an error in a former nomination, in which his name was erroneously given as Spence M. Baird.

MILLARD FILLMORE.

WASHINGTON, *January 21st*, 1852.

The message was read.

On motion by Mr. Atchison,

The Senate, by unanimous consent, proceeded to consider the said nomination; and

Resolved, That the Senate advise and consent to the appointment of Spruce M. Baird, of New Mexico, to be agent for the Indians in that Territory, in place of R. H. Weightman, resigned, agreeably to the nomination.

Mr. Bradbury, from the Committee on the Judiciary, to whom was referred, the 15th instant, the nomination of John Dickey, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Douglas, from the Committee on Foreign Relations, to whom was referred, the 15th instant, the nomination of William Rich, and on the 20th instant that of Andrew J. Ogle, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

WEDNESDAY, JANUARY 28, 1852.

The following messages were received from the President of the United States, by Mr. Fillmore, his secretary :

To the Senate of the United States :

I hereby nominate Alfred Huger to be deputy postmaster at Charleston, in the district of Charleston, in the State of South Carolina, from the second day of July next, when his present commission as such deputy postmaster will expire.

James B. Glass to be deputy postmaster at Columbia, in the district of Richland, in the same State, his commission as such deputy postmaster having expired.

Francis H. Areaux to be deputy postmaster at Nachitoches, in the parish of Nachitoches, in the State of Louisiana, in place of Edward B. Cook, who has declined the appointment.

Robert D. Johnson to be deputy postmaster at Galveston, in the county of Galveston, in the State of Texas, his present commission as such deputy postmaster having expired.

Squire Bassett to be deputy postmaster at Lexington, in the county of Fayette, in the State of Kentucky, to fill the vacancy occasioned by the death of George R. Trotter, the late incumbent.

MILLARD FILLMORE.

EXECUTIVE CHAMBER, *January 27, 1852.*

To the Senate of the United States :

The compensation of the postmasters at the several post-offices hereinafter mentioned having exceeded one thousand dollars for the fiscal year ending June 30, 1851, I do hereby nominate—

Benjamin N. Flint, now the postmaster at Calais, in the county of Washington and State of Maine, to be deputy postmaster at Calais aforesaid ;

Lawson H. Greene, now the postmaster at Gardner, in the county of Kennebec and State of Maine, to be deputy postmaster at Gardner aforesaid ;

John H. Denio, now the postmaster at Albion, in the county of Orleans and the State of New York, to be deputy postmaster at Albion aforesaid ;

Goldsmith F. Bailey, now the postmaster at Fitchburgh, in the county of Worcester and State of Massachusetts, to be deputy postmaster at Fitchburgh aforesaid ;

Caleb Hersey, now the postmaster at Haverhill, in the county of Essex and State of Massachusetts, to be deputy postmaster at Haverhill aforesaid ;

David S. Law, now the postmaster at Waterbury, in the county of New Haven and State of Connecticut, to be deputy postmaster at Waterbury aforesaid ;

Levi M. Scott, now the postmaster at Greensboro', in the county of Guilford, in the State of North Carolina, to be deputy postmaster at Greensboro' aforesaid;

Ebenezer F. Miller, now the postmaster at Jacksonville, in the county of Morgan and State of Illinois, to be deputy postmaster at Jacksonville aforesaid;

Ninian W. Letton, now the postmaster at Lexington, in the county of LaFayette and State of Missouri, to be deputy postmaster at Lexington aforesaid;

Daniel Lewis, now the postmaster at Xenia, in the county of Greene and State of Ohio, to be deputy postmaster at Xenia aforesaid; and

David S. Walbridge, now the postmaster at Kalamazoo, in the county of Kalamazoo and State of Michigan, to be deputy postmaster at Kalamazoo aforesaid.

MILLARD FILLMORE.

EXECUTIVE CHAMBER, *January 27, 1852.*

The messages were read.

Ordered, That the nominations contained therein be referred to the Committee on the Post-Office and Post-Roads.

Mr. Hamlin, from the Committee on Commerce, to whom was referred, the 20th instant, the nomination of Henry D. Norton, reported.

Mr. Soulé, from the Committee on Commerce, to whom were referred, the 20th December last, the nominations of David A. Bokee and William Christy, and on the 15th instant that of Robert Hare, reported.

On motion by Mr. Mangum,

Ordered, That the nominations of Elisha Whittlesey and Elias S. Terry be referred to the Committee on Indian Affairs.

WEDNESDAY, FEBRUARY 4, 1852.

The following messages were received from the President of the United States, by Mr. Fillmore, his secretary:

To the Senate of the United States:

I nominate Henry K. Preston to be naval officer for the district of Savannah, in the State of Georgia, in the place of Bryan M. Morel, resigned.

Also, Franklin Slaughter to be surveyor and inspector of the revenue for the port of Fredericksburgh, in the State of Virginia, in the place of Alexander H. Phillips, whose commission expired on the 24th instant.

MILLARD FILLMORE.

EXECUTIVE MANSION, *Washington, January 28th, 1852.*

To the Senate of the United States:

I hereby nominate Henry G. Davis to be deputy postmaster at Pittsfield, in the county of Berkshire and State of Massachusetts, in the place of Phineas Allen, whose commission has expired.

John Crawford, to be deputy postmaster at Athens, in the county of Clark and State of Georgia, from and after the 12th day of August, 1852, upon which day his present commission as such deputy postmaster will expire.

MILLARD FILLMORE.

EXECUTIVE CHAMBER, *January 30, 1852.*

To the Senate of the United States :

The compensations of the several postmasters of the several post-offices hereinafter named having exceeded one thousand dollars for the fiscal year ending June 30, 1851, I hereby nominate the hereinafter-named persons to the offices for which they are respectively designated:

John S. Walker, now postmaster at Madison, in the county of Morgan and State of Georgia, to be deputy postmaster at Madison aforesaid.

James E. Franklin, now postmaster at Clarkesville, in the county of Montgomery and State of Tennessee, to be deputy postmaster at Clarkesville aforesaid.

William L. Gibson, now postmaster at Ottawa, in the county of La Salle and State of Illinois, to be deputy postmaster at Ottawa aforesaid.

Joseph Baldrige, now postmaster at Hollidaysburgh, in the county of Blair and State of Pennsylvania, to be deputy postmaster at Hollidaysburgh aforesaid.

John A. Gustin, now postmaster at Honesdale, in the county of Wayne and State of Pennsylvania, to be deputy postmaster at Honesdale aforesaid.

James B. Wood, now postmaster at West Chester, in the county of Chester and State of Pennsylvania, to be deputy postmaster at West Chester aforesaid.

MILLARD FILLMORE.

EXECUTIVE CHAMBER, *January 30, 1852.*

To the Senate of the United States :

I nominate Peter S. Bowdoin to be collector of the customs for the district and inspector of the revenue for the port of Cherrystone, in the State of Virginia, his late commission having expired on the 28th ultimo.

MILLARD FILLMORE.

EXECUTIVE MANSION, *Washington, February 3, 1852.*

To the Senate of the United States :

I nominate William S. Simpson, jr., to be surveyor of the customs for the districts of Richmond and Petersburg, and inspector of the revenue for the ports of City Point and Bermuda Hundred, to reside at City Point or Bermuda Hundred, in the State of Virginia, in the place of William P. Porter, whose commission has expired.

MILLARD FILLMORE.

EXECUTIVE MANSION, *Washington, February 3, 1852.*

The messages were read.

Ordered, That the nominations of Henry K. Preston, Franklin Slaughter, Peter S. Bowdoin, and William S. Simpson be referred to the Committee on Commerce.

Ordered, That the nominations of deputy postmasters be referred to the Committee on the Post Office and Post-Roads.

Mr. Shields, from the Committee on Military Affairs, to whom were referred, the 15th January, the nominations of Oliver H. P. Taylor and Charles Page, and on the 20th January the nomination of Timothy P. Andrews, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to the nominations respectively.

Mr. Rusk, from the Committee on the Post-Office and Post-Roads, to whom were referred, on the 15th January, the nomination of James C. Hall, and on the 28th January that of Robert D. Johnson, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Badger, from the Committee on Naval Affairs, to whom was referred, the 20th January, the nomination of Charles Morris, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Badger, from the Committee on Naval Affairs, to whom was referred, the 20th January, the nomination of William W. Russell, reported.

Mr. Felch, from the Committee on Public Lands, to whom were referred, the 20th January, the nominations of George W. Wood, Jackson W. Faith, William M. Lapsley, Thomas J. Burke, John S. H. Rainey, Antonia J. Noda, and John F. Smith, reported.

Mr. Sebastian, from the Committee on Indian Affairs, to whom were referred, the 28th January, the nominations of Elisha Whittlesey and Elias S. Terry, submitted the following report:

The Committee on Indian Affairs, to whom were referred the nominations of Elisha Whittlesey and Elias S. Terry, as commissioners under the 17th article of the treaty of 1835 with the Cherokees, to adjudicate the claim of David Taylor, report—

That in their opinion the duties which it is proposed to confer upon the commission named are unnecessary, and can be, indeed are already, performed by the commissions heretofore instituted under the same authority. The adjudication of the right of David Taylor under the treaty and ascertainment of the value of his reservation, as shown in the proceedings of the commission of 1843 and now on file, are full and complete and must be final by the terms of the treaty itself. Similar claims have been repeatedly paid at the Treasury, and the obligations of the Treasury to pay this as a legally ascertained and audited claim is clearly shown by the opinion of the Attorney-General on file.

The committee therefore unanimously recommend that the nominations be laid upon the table.

On motion by Mr. Sebastian,

The Senate, by unanimous consent, proceeded to consider the said report; and in concurrence therewith

Ordered, That the nominations of Elisha Whittlesey and Elias S. Terry lie on the table.

On motion by Mr. Sebastian,

Ordered, That the report be printed for the use of the Senate, and that the injunction of secrecy be removed from the proceedings of the Senate on the said nominations.

On motion by Mr. Mangum,

Ordered, That the secretary furnish a copy of these proceedings to the President of the United States.

MONDAY, FEBRUARY 9, 1852.

The following messages were received from the President of the United States, by Mr. Fillmore, his secretary:

To the Senate of the United States:

I nominate Benjamin W. Brice, of Ohio, to be a paymaster in the Army, vice paymaster Timothy P. Andrews, promoted deputy paymaster-general. This nomination is a substitute for that made December 26, 1851, which is hereby withdrawn.

WASHINGTON, February 6, 1852.

MILLARD FILLMORE.

To the Senate of the United States :

I nominate Doctor Archibald Taylor, of Virginia, for the appointment of assistant surgeon in the Army of the United States, as proposed in the accompanying communication of the Secretary of War.

MILLARD FILLMORE.

WASHINGTON, *February 6, 1852.*

WAR DEPARTMENT, *February 6, 1852.*

SIR: I have the honor respectfully to propose for your approbation the name of Doctor Archibald Taylor, of Virginia to be an assistant surgeon in the Army of the United States, vice H. H. Steiner, resigned, to date from February 4, 1852. Doctor Taylor is the first legally qualified candidate for appointment as assistant surgeon under the first section of the act of June 30, 1834.

I am, sir, with great respect, your obedient servant,

C. M. CONRAD,
Secretary of War.

To the PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I hereby nominate the following persons to be justices of the peace in the county of Washington, in the District of Columbia: William H. Brian, Samuel Drury, Lund Washington, sen'r, and Zachariah Walker, from the 24th day of February, 1852, when their present commissions will expire; Henry Haw and Peter M. Pearson, from the 28th day of February, 1852, and William R. Woodward and Craven Ashford, from the 3d day of March, 1852, when their present commissions will expire.

MILLARD FILLMORE.

WASHINGTON, *6th February, 1852.*

To the Senate of the United States:

I hereby nominate F. S. Myer to be a justice of the peace in the county of Washington, in the District of Columbia, from the 28th day of February, 1852, when his present commission will expire.

MILLARD FILLMORE.

WASHINGTON, *February 6th, 1852.*

To the Senate of the United States:

I hereby nominate William Walton to be consul of the United States at Carrara, in Modena.

MILLARD FILLMORE.

WASHINGTON, *February 6th, 1852.*

To the Senate of the United States:

I hereby nominate John Meshullum to be consul of the United States at Jerusalem, in Syria.

MILLARD FILLMORE.

WASHINGTON, *9 February, 1852.*

To the Senate of the United States:

I hereby nominate Francis Dainese to be consul of the United States for the port of Constantinople, in the place [of] George A. Porter, recalled.

MILLARD FILLMORE.

WASHINGTON, *9 February, 1852.*

To the Senate of the United States:

I transmit to the Senate, for its consideration with a view to ratification, a treaty of friendship, commerce, and navigation between the United States and the Republic of Peru, concluded and signed at Lima on the twenty-sixth day of July last.

A copy of a dispatch of Mr. J. R. Clay, the chargé d'affaires of the United States at Lima, to the Secretary of State, bearing date the 6th December last, is also transmitted for the information of the Senate.

MILLARD FILLMORE.

WASHINGTON, 9th February, 1852.

The messages were read.

Ordered, That the nomination of Archibald Taylor be referred to the Committee on Military Affairs.

Ordered, That the nominations of justices of the peace be referred to the Committee on the District of Columbia.

Ordered, That the nominations of consuls be referred to the Committee on Commerce.

On motion by Mr. Shields,

The Senate, by unanimous consent, proceeded to consider the nomination of Benjamin W. Brice, received this day; and

Resolved, That the Senate advise and consent to the appointment of Benjamin W. Brice, of Ohio, to be a paymaster in the Army, vice Paymaster Timothy P. Andrews promoted deputy paymaster-general, agreeably to the nomination.

The treaty of friendship, commerce, and navigation between the United States of America and the Republic of Peru, concluded at Lima on the 26th day of July, in the year of our Lord, 1851, was read the first time.

On motion by Mr. Underwood,

Ordered, That the said treaty, with the message and accompanying documents, be referred to the Committee on Foreign Relations and printed in confidence for the use of the Senate.

Mr. Atchison, from the Committee on Indian Affairs, to whom were referred, the 20th January, the nominations of Edward A. Starling, Alonzo A. Skinner, Francis W. Lea, James H. Norwood, and Elkanah Walker, reported.

Mr. Hamlin, from the Committee on Commerce, to whom were referred, the 4th instant, the nominations of Franklin Slaughter, William S. Simpson, and Peter S. Bowdoin, reported.

The Senate proceeded to consider the nominations of Joseph W. Furbur, James Magoffin, Thomas I. Dryer, Oliver D. Peabody, James R. Thompson, Harlow Case, Alexander D. Moore, James T. Bourne, P. P. Labarre, Thomas I. Kilby, Egbert Benson, Lewis Sutton, Nathaniel F. Williams, William Duer, Joseph Graham, Nicholas J. Keefe, Timothy Darling, Valentine Holmes, W. L. Sharkey, George King Rogers, Samuel J. Oakford, William R. Glover, Henry D. Norton, David A. Bokee, William Christy, Robert Hare, George W. Woods, Jackson W. Faith, William M. Lapsley, Thomas J. Burke, John S. H. Rainey, Antonia J. Noda, and John F. Smith; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

TUESDAY, FEBRUARY 10, 1852.

Mr. Hunter, from the Committee on Finance, to whom was referred, the 20th December last, the nomination of Nathan Sargeant, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred, the 15th January, the nomination of Horace H. Miller, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

The Senate proceeded to consider the nominations of Alfred Wheeler, Franklin Slaughter, Peter S. Bowdoin, and William S. Simpson; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

THURSDAY, FEBRUARY 12, 1852.

Mr. Butler, from the Committee on the Judiciary, to whom was referred, the 20th December last, the nomination of Jerome Fuller, reported.

Mr. Butler presented a copy of the opinion of the Attorney-General of the United States submitted to the President on the subject of the said nomination and in relation to the removal of Territorial judges appointed for four years.

On motion by Mr. Chase,

Ordered, That the said opinion of the Attorney-General be printed in confidence for the use of the Senate.

Mr. Downs presented the memorial of James W. Shaumburg claiming an appointment as a captain in the First Regiment of Dragoons; which was referred to the Committee on Military Affairs.

TUESDAY, FEBRUARY 17, 1852.

The following messages were received from the President of the United States, by Mr. Fillmore, his secretary:

To the Senate of the United States:

I nominate John A. Cavedo to be surveyor and inspector of the revenue for the port of Fernandina, in the State of Florida, his late commission having expired on the 10th instant.

MILLARD FILLMORE.

EXECUTIVE MANSION, Washington, February 12, 1852.

To the Senate of the United States:

I nominate Phillip P. Yeatman to be surveyor and inspector of the revenue for the port of East River, in the State of Virginia, in the place of William Williams, whose commission expired on the 24th ultimo.

Also, John Segar to be surveyor and inspector of the revenue for the port of Urbanna, in the State of Virginia, from the 8th of March next, when the commission of Alfred Palmer will expire.

MILLARD FILLMORE.

EXECUTIVE MANSION, Washington, February 16, 1852.

To the Senate of the United States :

I herewith communicate to the Senate, for its consideration with a view to ratification, a treaty of commerce and navigation, concluded by the minister resident of the United States at Constantinople with the chargé d'affaires of the Shah of Persia, at the same place. The treaty is in the Persian and French languages, but is accompanied by an English translation. A copy of the correspondence between the Department of State and the legation of the United States at Constantinople on the subject is also herewith communicated.

MILLARD FILLMORE.

WASHINGTON, *February 16, 1852.*

To the Senate of the United States:

I transmit herewith, for the constitutional action of the Senate, treaties recently concluded with certain Indian tribes at Traverse Des Sioux, Mendota, Pembina, and Fort Laramie, together with communications from the Department of the Interior, and other documents connected therewith.

MILLARD FILLMORE.

WASHINGTON, *February 13, 1852.*

The messages were read.

Ordered, That the nominations contained therein be referred to the Committee on Commerce.

The treaty of friendship, commerce and navigation between the Governments of Irân (Persia) and the United States of America, concluded at Constantinople the 9th of October, 1851, was read the first time.

Ordered, That the treaty, together with the message and accompanying documents, be referred to the Committee on Foreign Relations and printed in confidence for the use of the Senate.

The articles of a treaty made and concluded at Traverse des Sioux, upon the Minnesota River, in the Territory of Minnesota, on the twenty-third day of July, 1851, between the United States of America, by Luke Lea, Commissioner of Indian Affairs, and Alexander Ramsey, governor and *ex-officio* superintendent of Indians affairs in said Territory, commissioner duly appointed for that purpose, and the See-see toan and Wah-pay-toan bands of Dakota or Sioux Indians, were read the first time.

The articles of a treaty made and concluded at Mendota, in the Territory of Minnesota, on the fifth day of August, 1851, between the United States of America, by Luke Lea, Commissioner of Indian Affairs, and Alexander Ramsey, governor and *ex-officio* superintendent of Indian affairs in said Territory, commissioners duly appointed for that purpose, and the Meday-wa-kau-toan and Wah-pay-koo-tay bands of Dakota or Sioux Indians, were read the first time.

The articles of a treaty made and concluded at Pembina, in the Territory of Minnesota, on the twentieth day of September, 1851, between the United States of America by Alexander Ramsey, governor and *ex-officio* superintendent of Indian affairs in said Territory, commissioner duly appointed for that purpose, and the Chippeways of Pembina and Red Lake, owning the country on the Red River of the North, were read the first time.

The articles of a treaty made and concluded at Fort Laramie, in the Indian Territory, between D. D. Mitchell, superintendent of Indian affairs, and Thomas Fitzpatrick, Indian agent, commissioners specially ap-

pointed and authorized by the President of the United States, of the first part, and the chief, headmen and braves of the following Indian nations, residing south of the Missouri River, east of the Rocky Mountains, and north of the lines of Texas and New Mexico, viz, the Sioux or Dah-co-tahs, Cheyennes, Arapahoes, Crows, Assinaboins, Gros-Ventres, Mandans, and Arrickeras, parties of the second part, on the seven-teenth day of September, anno Domini one thousand eight hundred and fifty-one, were read the first time.

Ordered, That the four last mentioned treaties, together with the message and documents accompanying the same, be referred to the Committee on Indian Affairs and printed in confidence for the use of the Senate.

Mr. Rusk, from the Committee on the Post-Office and Post-Roads, to whom were referred, the 28th January last, the nominations of Alfred Huger, James B. Glass, Francis H. Areaux, and Squire Bassett, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of Alfred Huger and James B. Glass, agreeably to their nominations respectively.

WEDNESDAY, FEBRUARY 25, 1852.

The following messages were received from the President of the United States, by Mr. Fillmore, his secretary :

To the Senate of the United States :

I hereby nominate Spiridion Ladico to be consul of the United States at Port Mahon, in the Island of Minorca.

MILLARD FILLMORE.

WASHINGTON, *February 17*, 1852.

To the Senate of the United States :

I hereby nominate Loomis L. White, of New York, to be consul of the United States at San Juan del Sud, in the Republic of Nicaragua.

MILLARD FILLMORE.

WASHINGTON, *February —*, 1852.

To the Senate of the United States :

I nominate William B. Shubrick a captain in the Navy, to be Chief of the Bureau of Construction, Equipment, and Repair, in place of Captain Charles W. Skinner, resigned.

MILLARD FILLMORE.

WASHINGTON, *February 23d*, 1852.

The messages were read.

Ordered, That the nominations of Spiridion Ladico and Loomis L. White be referred to the Committee on Commerce.

On motion by Mr. Badger,

The Senate, by unanimous consent, proceeded to consider the nomination of William B. Shubrick ; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Shields, from the Committee on the District of Columbia, to whom were referred, the 9th instant, the nominations of William H. Brian, Samuel Drury, Lund Washington, senior, Zachariah Walker, Henry Haw, Peter M. Pearson, William R. Woodward, and Craven Ashford, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

On motion,

The Senate proceeded to consider the nominations of Francis H. Areaux and Squire Bassett; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

THURSDAY, FEBRUARY 26, 1852.

The following message was received from the President of the United States, by Mr. Fillmore, his secretary :

To the Senate of the United States :

I hereby nominate John Curry, of California, to be district judge of the United States for the southern district of California, in the place of J. M. Jones, deceased.

MILLARD FILLMORE.

WASHINGTON, 26th February, 1852.

The message was read.

Ordered, That the nomination of John Curry be referred to the Committee on the Judiciary.

Mr. Soulé, from the Committee on Commerce, to whom was referred, the 9th February last, the nomination of Francis Dainese, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

FRIDAY, MARCH 5, 1852.

The following messages were received from the President of the United States, by Mr. Fillmore, his secretary :

To the Senate of the United States :

I hereby nominate Howard Millspaugh to be assayer of the branch mint at New Orleans.

MILLARD FILLMORE.

WASHINGTON, 28th February, 1852.

To the Senate of the United States :

I nominate Edward F. Beale to be superintendent of Indian affairs for the State of California, to reside in that State.

MILLARD FILLMORE.

WASHINGTON, CITY, March 3, 1852.

The messages were read.

Ordered, That the nomination of Howard Millspaugh be referred to the Committee on Finance.

On motion by Mr. Gwin,

The Senate, by unanimous consent, proceeded to consider the nomination of Edward F. Beale; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Downs, from the Committee on the Judiciary, to whom was referred, the 26th February last, the nomination of John Curry, reported.

Mr. Bradbury, from the Committee on the Judiciary, to whom was referred, the 15th January last, the nomination of James Points, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred, the 12th December last, the treaty of friendship, commerce, and navigation between the United States of America and the Republic of Costa Rica, concluded at Washington the tenth day of July, in the year of our Lord one thousand eight hundred and fifty-one, reported it without amendment.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred, the 17th February last, the treaty of friendship, commerce and navigation between the Governments of Irân (Persia) and the United States of America, concluded at Constantinople the 9th of October, 1851, reported it with the following amendment, viz: Add the following as a new article:

ARTICLE 9. *The subjects of the Government of Persia, whilst within the United States, and the citizens of the United States, whilst in Persia, whether engaged in commerce, or in any other pursuit, shall have and enjoy all rights, privileges, and immunities now enjoyed by, or which may hereafter be conceded to, the subjects or citizens of other countries.*

MONDAY, MARCH 8, 1852.

Mr. Hamlin, from the Committee on Commerce, to whom was referred, the 20th December last, the nomination of Francis W. Rice, reported.

Mr. Hamlin, from the Committee on Commerce, to whom were referred, the 17th February last, the nominations of John A. Cavedo, Philip P. Yeatman, and John Segar, and on the 25th February that of Loomis L. White, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

THURSDAY, MARCH 11, 1852.

The following messages were received from the President of the United States, by Mr. Fillmore, his secretary:

To the Senate of the United States :

I hereby nominate James H. Adams, of Massachusetts, to be consul of the United States for the Island of Singapore, in the place of Joseph Balestier, resigned.

MILLARD FILLMORE.

WASHINGTON, *March 5*, 1852.

To the Senate of the United States :

I hereby nominate James W. Irwin, of Kentucky, to be consul of the United States for the City of Ravenna, in Italy.

MILLARD FILLMORE.

WASHINGTON, *March —*, 1852.

The messages were read.

Ordered, That the nomination of James H. Adams be referred to the Committee on Commerce.

On motion by Mr. Underwood,

The Senate, by unanimous consent, proceeded to consider the nomination of James W. Irwin; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Soulé, from the Committee on Commerce, to whom was referred, the 20th December last, the nomination of George C. Laurason, reported.

Mr. Shields, from the Committee on the District of Columbia, to whom was referred, the 9th February last, the nomination of F. S. Myer, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Shields, from the Committee on Military Affairs, to whom were referred, the 23d December last, the nominations of Thomas F. Hunt and others, for promotion and appointment in the Army, reported.

On motion by Mr. Shields,

The Senate proceeded to consider the nominations of Briscoe G. Baldwin, jr., and William C. Whitridge; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Shields, from the Committee on Military Affairs, to whom were referred, the 15th January last, the nominations of Alvan C. Gillem, Simon B. Buckner, and John C. Kelton, and on the 9th February that of Archibald Taylor, reported.

Mr. Gwin, from the Committee on Naval Affairs, to whom was referred, the 15th January last, the nomination of William F. Carrington, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

The Senate, as in Committee of the Whole, proceeded to consider the treaty of friendship, commerce and navigation between the United States of America and the Republic of Costa Rica, concluded at Washington the tenth day of July, in the year of our Lord one thousand eight hundred and fifty-one; and no amendment being made thereto, it was reported to the Senate.

Mr. Mason submitted the following resolution for consideration:

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the treaty of friendship, commerce and navigation between the United States of America and the Republic of Costa Rica, concluded at Washington the tenth day of July, in the year of our Lord one thousand eight hundred and fifty-one.

The Senate, by unanimous consent, proceeded to consider the said resolution; and

On the question to agree thereto,

It was determined in the affirmative, yeas 37.

Those who voted are,

Messrs. Atchison, Badger, Bayard, Bell, Borland, Bradbury, Brodhead, Brooke, Cass, Chase, Clarke, Dodge of Wisconsin, Dodge of Iowa, Douglas, Downs, Fish, Geyer, Hamlin, James, Jones of Iowa,

Jones of Tennessee, King, McRae, Mangum, Mason, Morton, Pratt, Rusk, Seward, Shields, Smith, Soulé, Stockton, Sumner, Underwood, Upham, Wade.

Ordered, That the Secretary lay the said resolution before the President of the United States.

The treaty of friendship, commerce and navigation between the Governments of Irân (Persia) and the United States of America, concluded at Constantinople the 9th of October, 1851, was read the second time.

The Senate, as in Committee of the Whole, proceeded to consider the said treaty, together with the following amendment reported thereto, viz. Add the following article:

ARTICLE 9.

The subjects of the Government of Persia, whilst within the United States, and the citizens of the United States, whilst in Persia, whether engaged in commerce, or in any other pursuit, shall have and enjoy all rights, privileges, and immunities now enjoyed by, or which may hereafter be conceded to, the subjects or citizens of other countries.

On the question, Shall these words stand as a part of the treaty?

It was determined in the affirmative, yeas 34.

Those who voted are,

Messrs. Atchison, Badger, Bayard, Bell, Borland, Bradbury, Brodhead, Brooke, Cass, Clarke, Davis, Dodge of Wisconsin, Dodge of Iowa, Downs, Fish, Geyer, Gwin, Hamlin, James, Jones of Iowa, Jones of Tennessee, King, McRae, Mangum, Mason, Pratt, Rusk, Seward, Shields, Smith, Sumner, Underwood, Upham, Wade.

No further amendment being made, the treaty was reported to the Senate.

Mr. Mason submitted the following resolution for consideration:

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the treaty of friendship, commerce, and navigation between the Governments of Irân (Persia) and the United States of America, concluded at Constantinople the ninth of October, one thousand eight hundred and fifty-one, with the following amendment. Add the following article:

ARTICLE 9.

The subjects of the Government of Persia, whilst within the United States, and the citizens of the United States, whilst in Persia, whether engaged in commerce, or in any other pursuit, shall have and enjoy all rights, privileges, and immunities now enjoyed by, or which may hereafter be conceded to, the subjects or citizens of other countries.

The Senate, by unanimous consent, proceeded to consider the said resolution; and, on the question to agree thereto,

It was determined in the affirmative, { Yeas..... 31
Nays..... 3

Those who voted in the affirmative are,

Messrs. Badger, Bayard, Bell, Borland, Bradbury, Brooke, Brodhead, Cass, Clarke, Davis, Dodge of Wisconsin, Dodge of Iowa, Downs, Fish, Geyer, Gwin, Hamlin, James, Jones of Iowa, Jones of Tennessee, King, McRae, Mangum, Mason, Pratt, Seward, Shields, Smith, Sumner, Underwood, Wade.

Those who voted in the negative are,

Messrs. Atchison, Rhett, Rusk.

Ordered, That the Secretary lay the said resolution before the President of the United States.

On motion by Mr. Atchison,

The Senate proceeded to consider the nominations of Edward A. Starling, Alonzo A. Skinner, Francis W. Lea, James H. Norwood, and Elkanah Walker; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

FRIDAY, MARCH 19, 1852.

The following messages were received from the President of the United States, by Mr. Fillmore, his secretary:

To the Senate of the United States:

I hereby nominate William Thompson to be a justice of the peace in the county of Washington, in the District of Columbia, from the 13th day of March, 1852, when his present commission will expire.

MILLARD FILLMORE.

WASHINGTON, 10th March, 1852.

To the Senate of the United States:

I nominate Brevet Lieutenant-Colonel William H. Emory, of the United States Army, to be surveyor to run and mark the boundary between the United States and the Republic of Mexico, under the treaty of Guadalupe-Hidalgo.

MILLARD FILLMORE.

WASHINGTON, March 12, 1852.

To the Senate of the United States:

I hereby nominate John Morand to be consul of the United States for the port of Denia, in Spain.

MILLARD FILLMORE.

WASHINGTON, 15 March, 1852.

To the Senate of the United States:

I hereby nominate John Glenn, of Maryland, to be judge of the district court of the United States for the district of Maryland, in the place of Upton S. Heath, deceased.

MILLARD FILLMORE.

WASHINGTON, 18th March, 1852.

To the Senate of the United States:

I nominate John W. Argyle, whose term of office will expire on the 4th of June next, for reappointment as receiver of public moneys at Tallahassee, Florida.

MILLARD FILLMORE.

WASHINGTON, March 18th, 1852.

The messages were read.

Ordered, That the nomination of William Thompson be referred to the Committee on the District of Columbia.

Ordered, That the nomination of William H. Emory be referred to the Committee on Foreign Relations.

Ordered, That the nomination of John Morand be referred to the Committee on Commerce.

Ordered, That the nomination of John Glenn be referred to the Committee on the Judiciary.

Ordered, That the nomination of John W. Argyle be referred to the Committee on Public Lands.

On motion by Mr. Hamlin,

The Senate proceeded to consider the nomination of George C. Laurason; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Bradbury, from the Committee on the Judiciary, to whom was this day referred the nomination of John Glenn, reported.

On motion by Mr. Bradbury,

The Senate, by unanimous consent, proceeded to consider the said nomination; and

Resolved, That the Senate advise and consent to the appointment of John Glenn, agreeably to the nomination.

WEDNESDAY, MARCH 24, 1852.

The following messages were received from the President of the United States, by Mr. Fillmore, his secretary :

To the Senate of the United States:

I hereby nominate Joseph Augustus Henriques to be consul of the United States at Melbourne, Australia.

MILLARD FILLMORE.

WASHINGTON, *March 19th*, 1852.

To the Senate of the United States:

I hereby nominate Judah Solomon Levy to be consul of the United States for Tetnan, in the Empire of Morocco.

I also nominate Meshod Abecasis to be consul of the United States for Larache and Arzila, in the Empire of Morocco.

MILLARD FILLMORE.

WASHINGTON, *22d March*, 1852.

To the Senate of the United States :

I nominate William W. J. Kelly, of Florida, to be a purser in the Navy, to fill the vacancy occasioned by the death of Purser Lewis Ashmun.

MILLARD FILLMORE.

WASHINGTON, *March 22*, 1852.

The messages were read.

Ordered, That the nominations of consuls be referred to the Committee on Commerce.

Ordered, That the nomination of purser be referred to the Committee on Naval Affairs.

Mr. Atchison presented a letter from the Secretary of the Interior, communicating several letters relating to the treaty and affairs with the Sioux Indians, and a letter from Luke Lea, Commissioner of Indian Affairs, communicating copies of instructions to form treaties with the Sioux Indians and with the Indian tribes of the prairies; and,

On motion by Mr. Atchison,
Ordered, That they be printed in confidence for the use of the Senate.
Mr. Hamlin submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the President be requested to return to the Senate the resolution advising and consenting to the appointment of George C. Laurason as collector of the customs for the district of New Orleans, provided a commission shall not have been issued to him.

TUESDAY, MARCH 30, 1852.

The following messages were received from the President of the United States, by Mr. Fillmore, his secretary:

To the Senate of the United States:

I nominate Woodford Mabry to be collector of the customs for the district of Brunswick and inspector of the revenue for the port of Darien, in the State of Georgia, in the place of Armand Le Fils, removed.

MILLARD FILLMORE.

EXECUTIVE MANSION, *Washington, March 17, 1852.*

To the Senate of the United States:

I nominate William Quesenbury, of Arkansas, to be receiver of public moneys for the district of lands subject to sale at Fayetteville, Arkansas, vice Richard M. Thruston.

MILLARD FILLMORE.

WASHINGTON CITY, *March 19, 1852.*

To the Senate of the United States:

I nominate Nicholas Du Bois to be surveyor and inspector of the revenue for the port of Milwaukie, in the Territory of Oregon, in the place of Alonzo Leland, removed.

MILLARD FILLMORE.

EXECUTIVE MANSION, *Washington, March 23, 1852.*

To the Senate of the United States:

I hereby nominate Franklin Whitney to be deputy postmaster at Binghamton, in the county of Broome, in the State of New York, in the place of B. T. Cooke, deceased.

MILLARD FILLMORE.

EXECUTIVE CHAMBER, *March 24, 1852.*

To the Senate of the United States:

I nominate John Edward Bouligny to be assistant appraiser of merchandise for the port of New Orleans, in the State of Louisiana, in the place of A. Métayé, removed.

MILLARD FILLMORE.

EXECUTIVE CHAMBER, *March 25, 1852.*

To the Senate of the United States:

For reasons stated in the inclosed letter to [by] the Secretary of the Navy, I hereby withdraw the nomination of Assistant Surgeon William E. Wysham, heretofore made to your honorable body.

MILLARD FILLMORE.

EXECUTIVE MANSION, *Washington City, March 25, 1852.*

NAVY DEPARTMENT, *March 23d*, 1852.

SIR: Assistant Surgeon William E. Wysham, of the Navy, who was appointed during the recess of the Senate, and whose nomination for confirmation of his appointment is now before the Senate, is reported to the Department by the Chief of the Bureau of Medicine and Surgery as having been transferred to the naval hospital at Pensacola, Florida, in a state of mental derangement. I have the honor, therefore, to submit to you whether, for this reason, his nomination should not be withdrawn for the present and suffer his appointment to expire with the present session of the Senate.

I am, very respectfully, your obedient servant,

WILL. A. GRAHAM.

The PRESIDENT.

To the Senate of the United States :

I have the resolution of your honorable body, adopted in executive session March 24th, 1852, by which I am requested to return to the Senate the resolution advising and consenting to the appointment of George C. Laurason as collector of the customs for the district of New Orleans, provided a commission had not been issued to him, and in reply thereto I would respectfully state that prior to the receipt of said resolution I had signed the commission to Mr. Laurason, and transmitted it to the Secretary of the Treasury, to whom your resolution was immediately referred, and I have the honor now to transmit his reply, by which it will be seen that the commission, after having been duly executed, was sent to the First Comptroller, where it still remains. I suppose, according to the doctrine laid down in the case of *Marbury vs. Madison* (1 Cranch, R. 137), the appointment must be deemed complete, and nothing short of the removal of Mr. Laurason can enable me again to submit his nomination to the consideration of the Senate; but, as the commission has not been technically issued to Mr. Laurason, I deem it most respectful to comply with your request by returning the copy of the resolution which notified me that the Senate advised and consented to his appointment.

MILLARD FILLMORE.

WASHINGTON CITY, *March 29*, 1852.

The messages were read.

Ordered, That the nominations of Woodford Mabry, Nicholas Du Bois, and John Bouligney be referred to the Committee on Commerce.

On motion by Mr. Borland,

The Senate, by unanimous consent, proceeded to consider the nomination of William Quesenbury; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Seward,

The Senate, by unanimous consent, proceeded to consider the nomination of Franklin Whitney; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Hamlin presented memorials and statements adverse to the confirmation of the appointment of William T. Willard as deputy post-master at Troy, in the State of New York; which were referred to the Committee on the Post Office and Post-Roads.

Mr. Rusk, from the Committee on the Post-Office and Post-Roads, to whom was referred, the 4th February, the nomination of Henry G. Davis, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Gwin, from the Committee on Naval Affairs, to whom was referred, the 24th instant, the nomination of William W. J. Kelly, reported.

Mr. Shields, from the Committee on the District of Columbia, to whom was referred, the 19th instant, the nomination of William Thompson, reported.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred, the 19th instant, the nomination of William H. Emory, reported.

Mr. Downs submitted the following resolution for consideration:

Whereas on the 19th of March, 1852, the nomination of George O. Laurason for the office of collector of the customs for the district of New Orleans, in the State of Louisiana, was, by misapprehension and not in accordance with the practice of the Senate, and in the absence and contrary to the opinion and wishes of both of the Senators from said State, and without either of them having any knowledge or expectation that such would be the case, taken up and disposed of, although one of said Senators had requested that said nomination should be postponed, and it was so postponed at a previous executive session to give time to obtain information touching the appointment of said Laurason;

And whereas serious charges against said Laurason have been suggested which could not be brought forward in consequence of his nomination being so prematurely and unexpectedly taken up;

And whereas although from the message of the President it appears that the commission to said Laurason was signed on the 22d March, 1852, it was not issued on the 29th March, 1852: Therefore,

Resolved, That the President be requested to revoke the commission signed by him to Laurason and submit a new nomination.

THURSDAY, APRIL 1, 1852.

The following message was received from the President of the United States, by Mr. Fillmore, his secretary:

To the Senate of the United States:

I hereby nominate Joseph Parsons, of Tennessee, to be marshal of the United States for the eastern district of Tennessee, in the place of Daniel McCallum, deceased.

MILLARD FILLMORE.

WASHINGTON, 31st March, 1852.

On motion by Mr. Jones, of Tennessee,

The Senate, by unanimous consent, proceeded to consider the nomination of Joseph Parsons; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Hamlin, from the Committee on Commerce, to whom were referred, the 30th March, the nominations of Woodford Mabry and John Edward Bouligny, reported.

On motion by Mr. Dawson,

The Senate proceeded to consider the nomination of Woodford Mabry; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Hamlin, from the Committee on Commerce, to whom were referred, the 9th February, the nominations of John Meshullam and William Walton; on the 25th February that of Spiridion Ladico; and on the 19th March that of John Morand, reported.

On motion by Mr. Badger, and after debate,

Ordered, That the said nominations be recommitted to the Committee on Commerce.

On motion by Mr. Bradbury,

The Senate proceeded to consider the nomination of William Thompson; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Gwin,

The Senate proceeded to consider the nomination of William W. J. Kelly; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Downs,

The Senate proceeded to consider the resolution submitted yesterday in relation to the appointment of George C. Laurason; and

After debate,

Mr. Brooke having submitted an amendment to the said resolution,

On motion by Mr. Mason,

Ordered, That the resolution, the proposed amendment, and the message from the President of the United States, received the 30th March, be referred to the Committee on the Judiciary.

TUESDAY, APRIL 6, 1852.

The following messages were received from the President of the United States, by Mr. Fillmore, his secretary:

To the Senate of the United States:

Benjamin Gardner, who was nominated as deputy postmaster at Eufaula, in the county of Barbour and State of Alabama, on or about the 18th day of December, 1851, having resigned his office, I hereby withdraw such nomination of the said Benjamin Gardner, and nominate Thomas I. Jackson to be deputy postmaster at the place aforesaid, in place of the said Benjamin Gardner, resigned.

MILLARD FILLMORE.

EXECUTIVE CHAMBER, *Washington, April 1, 1852.*

To the Senate of the United States:

I hereby nominate Henry Munro, of New York, to be consul of the United States at Aspinwall, in the Republic of New Grenada.

MILLARD FILLMORE.

WASHINGTON, 6 April, 1852.

The messages were read.

Ordered, That the nomination of Thomas I. Jackson be referred to the Committee on the Post-Office and Post-Roads.

Ordered, That the nomination of Henry Munro be referred to the Committee on Commerce.

Mr. Atchison presented several documents relating to matters connected with the treaties lately made with the Dakota or Sioux Indians; and,

On motion by Mr. Atchison,
Ordered, That they be printed in confidence for the use of the Senate.

FRIDAY, APRIL 9, 1852.

The following messages were received from the President of the United States, by Mr. Fillmore, his secretary :

To the Senate of the United States :

I hereby nominate Manuel Barcena to be consul of the United States at Vigo, in Spain.

MILLARD FILLMORE.

WASHINGTON, 5th April, 1852.

To the Senate of the United States :

I hereby nominate Francis B. Ogden to be consul of the United States at Manchester, England.

WASHINGTON, 7th April, 1852.

MILLARD FILLMORE.

The messages were read.

Ordered, That the nominations contained therein be referred to the Committee on Commerce.

Mr. Hamlin, from the Committee on Commerce, to whom was referred, the 4th February, the nomination of Henry K. Preston, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Hamlin, from the Committee on Commerce, to whom was referred, the 30th March, the nomination of Nicholas DuBois, reported.

Mr. Hamlin, from the Committee on Commerce, to whom was recommended the nomination of John Meshullam, reported.

Mr. Shields presented the memorial of a number of inhabitants of the Minnesota Territory, convened at St. Paul, praying for the ratification of certain treaties lately made with the Sioux and other Indian tribes; which was referred to the Committee on Indian Affairs.

Mr. Gwin submitted the following resolution for consideration :

Resolved, That the President of the United States be requested to communicate to the Senate the force and objects of the naval expedition recently ordered into the Indian Ocean, and particularly to the coast of Japan.

Mr. Weller submitted the following resolution for consideration :

Resolved, That the President of the United States be requested to inform the Senate whether any treaties have been made by the Indian commissioners or agents with the Indian tribes in California, and, if so, to transmit copies thereof to the Senate.

FRIDAY, APRIL 16, 1852.

The following messages were received from the President of the United States, by Mr. Fillmore, his secretary :

To the Senate of the United States :

I hereby nominate William L. J. Kiderlen to be consul of the United States at Zurich, in Switzerland.

WASHINGTON, 15th April, 1852.

MILLARD FILLMORE.

To the Senate of the United States :

I hereby nominate Henry R. Day to be a justice of the peace in the county of Washington, in the District of Columbia.

MILLARD FILLMORE.

WASHINGTON, 15th April, 1852.

The messages were read.

Ordered, That the nomination of William L. J. Kiderlen be referred to the Committee on Commerce.

On motion by Mr. Dodge, of Iowa,

The Senate, by unanimous consent, proceeded to consider the nomination of Henry R. Day ; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Hamlin presented the memorial of Royal Ball and the affidavits of several persons adverse to the confirmation of the appointment of William T. Willard as deputy postmaster at Troy, New York ; which were referred to the Committee on the Post-Office and Post-Roads.

Mr. Underwood presented the memorial of William D. Phillips and other citizens of Minnesota Territory, praying that the treaties with the Sioux Indians, made in the summer of 1851, may be ratified ; which was referred to the Committee on Indian Affairs.

Mr. Geyer presented the memorial of Laf  yette Emmett and other citizens of Minnesota Territory, praying that the treaties with the Sioux Indians, made in the summer of 1851, may be ratified ; which was referred to the Committee on Indian Affairs.

Mr. Hamlin, from the Committee on Commerce, to whom were referred, the 24th March, the nominations of Joseph Augustus Henriques, Judah Solomon Levy, and Meshod Abecasis, and on the 9th instant that of Manuel Barcena ; and to whom were recommitted, the 1st instant, the nominations of William Walton, Spiridion Ladico, and John Morand, reported.

On motion by Mr. Gwin,

The Senate proceeded to consider the nomination of John Edward Bouligny ; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

MONDAY, APRIL 19, 1852.

The following messages were received from the President of the United States, by Mr. Fillmore, his secretary :

To the Senate of the United States:

I nominate Samuel Marcy, a master in the line of promotion, to be a lieutenant in the Navy, from the 2d day of April, 1852, to fill a vacancy occasioned by the resignation of Lieutenant Laf  yette Maynard.

John P. Bankhead, a master in the line of promotion, to be a lieutenant in the Navy, from the 7th day of April, 1852, to fill a vacancy occasioned by the resignation of Lieutenant Wilmer Shields.

George Maulsby, a passed assistant surgeon in the Navy, from the 14th day of April, 1852, to fill a vacancy occasioned by the death of Surgeon N. C. Barrabino.

William Grier, a passed assistant surgeon, to be a surgeon in the Navy, from the 14th day of April, 1852, to fill a vacancy occasioned by the resignation of Surgeon Samuel Mosely.

Albert Schriver and Thomas Le Page Cronmiller, to be assistant surgeons in the Navy, to fill the vacancies occasioned by the promotions of George Maulsby and William Grier.

MILLARD FILLMORE.

WASHINGTON, *April 15*, 1852.

To the Senate of the United States :

I nominate George Sewell, now a first assistant engineer, to be a chief engineer in the Navy, to fill a vacancy.

MILLARD FILLMORE.

WASHINGTON, *April 16*, 1852.

The messages were read.

Ordered, That the nominations contained therein be referred to the Committee on Naval Affairs.

Mr. Hamlin, from the Committee on Commerce, to whom was referred, the 9th instant, the nomination of Francis B. Ogden, reported.

Mr. Hamlin, from the Committee on Commerce, to whom was referred, the 16th instant, the nomination of William L. J. Kiderlen, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Atchison, from the Committee on Indian Affairs, to whom was referred, the 17th February last, the treaty with the See-see-toan and Wah-pa-toan bands of Dakota or Sioux Indians, concluded at Traverse des Sioux the 23d July, 1851, reported it without amendment.

Mr. Atchison, from the Committee on Indian Affairs, to whom was referred, the 17th February last, the treaty with the Med-ay-wa-kan-toan and Wah-pay-koo-tay bands of Dakota or Sioux Indians, concluded at Mendota the 5th August, 1851, reported it with an amendment, to wit : Strike out the eighth article.

Mr. Atchison, from the Committee on Indian Affairs, to whom was referred, the 17th February last, the treaty with the Chippeways of Pembina and Red Lake, owning the country on the Red River of the North, concluded at Pembina the 20th September, 1851, reported it without amendment, and with the recommendation that it be not ratified.

Mr. Atchison, from the Committee on Indian Affairs, to whom was referred, the 17th February last, the treaty with the chiefs, headmen, and braves of the following Indian nations residing south of the Missouri River, east of the Rocky Mountains, and north of the lines of Texas and New Mexico, viz, the Sioux or Dah-co-tahs, Cheyennes, Arrapahoes, Crows, Assinaboins, Gros-Ventres, Mandans, and Arrick-eras, concluded at Fort Laramie the 17th September, 1851, reported it without amendment.

Mr. Geyer presented the memorial of Isaac Gray and other citizens of Minnesota Territory, praying that the treaties with the Sioux Indians, made in the summer of 1851, may be ratified ; and

Ordered, That it lie on the table.

MONDAY, APRIL 26, 1852.

The following message was received from the President of the United States, by Mr. Fillmore, his secretary :

To the Senate of the United States :

I nominate Alfred Palmer to be surveyor and inspector of the revenue for the port of Urbanna, in the State of Virginia, in the place of John E. Segar, declined.

MILLARD FILLMORE.

EXECUTIVE MANSION, *Washington, April 20, 1852.*

The message was read.

Ordered, That the nomination of Alfred Palmer be referred to the Committee on Commerce.

Mr. Davis presented the memorial of B. S. Wall and other citizens of Minnesota Territory, praying that the treaties with the Sioux Indians, made in the summer of 1851, may be ratified ; and

Ordered, That it lie on the table.

The Senate proceeded to consider the resolution submitted by Mr. Gwin, the 9th instant, relative to the naval expedition to the coast of Japan ; and

After debate,

On motion by Mr. Badger,
The Senate adjourned.

TUESDAY, APRIL 27, 1852.

The following message was received from the President of the United States, by Mr. Fillmore, his secretary :

To the Senate of the United States :

I nominate Luther Bradish to be assistant treasurer of the United States at the city of New York, in the place of John Young, deceased.

MILLARD FILLMORE.

EXECUTIVE MANSION, *Washington, April 27th, 1852.*

The message was read.

On motion by Mr. Hunter,

The Senate, by unanimous consent, proceeded to consider the nomination of Luther Bradish ; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

FRIDAY, APRIL 30, 1852.

The following messages were received from the President of the United States, by Mr. Fillmore, his secretary :

To the Senate of the United States :

I nominate Marmaduke D. I. Slade, of Alabama, to be receiver of public moneys at Tuscaloosa, Alabama, vice Thomas J. Burke, who declines the office.

MILLARD FILLMORE.

WASHINGTON CITY, *April 29th, 1852.*

To the Senate of the United States :

I nominate William Hunley for reappointment as register of the land office at Grenada, Mississippi, his term of office having expired.

MILLARD FILLMORE.

WASHINGTON CITY, *April 29th*, 1852.

The messages were read.

Ordered, That the nomination of Marmaduke D. I. Slade be referred to the Committee on Public Lands.

On motion by Mr. Adams,

The Senate, by unanimous consent, proceeded to consider the nomination of William Hunley; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

MONDAY, MAY 3, 1852.

The articles of a treaty made and concluded at Traverse des Sioux, upon the Minnesota River, in the Territory of Minnesota, on the 23d day of July, 1851, between the United States of America, by Luke Lea, Commissioner of Indian Affairs, and Alexander Ramsey, governor and ex-officio superintendent of Indian affairs in said Territory, commissioners duly appointed for that purpose, and the See-see-toan and Wah-pa-toan bands of Dakota or Sioux Indians, were read the second time, and considered as in Committee of the Whole; and,

After debate,

On motion by Mr. Badger,

The Senate adjourned.

WEDNESDAY, MAY 5, 1852.

The following messages were received from the President of the United States, by Mr. Fillmore, his secretary:

To the Senate of the United States :

I nominate Nathaniel Jackson to be surveyor for the district and inspector of the revenue for the port of Newburyport, in the State of Massachusetts, from the 30th of April, 1852, when his present commission will expire.

MILLARD FILLMORE.

EXECUTIVE MANSION, *Washington, April 26*, 1852.

To the Senate of the United States :

I nominate William N. Whitehurst, whose term of office has expired, for reappointment as receiver of public moneys at Washington, Mississippi.

MILLARD FILLMORE.

WASHINGTON CITY, *May 3d*, 1852.

To the Senate of the United States :

I nominate Pearson B. Reading, of California, to be agent for the Indians in that State, in place of George W. Barbour, resigned.

MILLARD FILLMORE.

WASHINGTON CITY, *May 4th*, 1852.

To the Senate of the United States :

I hereby nominate Samuel Barstow, of Michigan, to be attorney of the United States for the district of Michigan, in the place of George C. Bates, resigned.

MILLARD FILLMORE.

WASHINGTON, 5th May, 1852.

To the Senate of the United States :

A commission having been granted during the recess of the Senate to Edward J. Phelps as Second Comptroller of the Treasury, in the place of Hiland Hall, resigned, I now nominate him to the same.

MILLARD FILLMORE.

EXECUTIVE MANSION, Washington, May 5th, 1852.

To the Senate of the United States :

On the 3d of March, 1849, a general convention of peace, amity, commerce, and navigation between the United States and the Republic of Guatemala, by Elijah Hise, the chargé d'affaires of the United States to that Republic, on the part of this Government, and by Señor Don Jose Mariano Rodriguez, minister for foreign affairs, on the part of the Government of Guatemala. This convention was approved by the Senate on the 24th of September, 1850, and, by a resolution of the 27th of that month, that body authorized the ratification of this Government to be exchanged for the ratification of the Government of Guatemala at any time prior to the 1st of April, 1851. I accordingly ratified the convention on the 14th of November, 1850, but there was then no person in this country authorized to effect the exchange of ratifications on the part of the Guatemalan Government, and the United States had no diplomatic representative there. When, however, in the summer of 1851, Mr. J. Bozman Kerr proceeded to Nicaragua as the chargé d'affaires of the United States, he was empowered and instructed, when he should have concluded the business which it was presumed would not have detained him long in Nicaragua, to repair to Guatemala and effect the exchange on the part of this Government. Circumstances, however, have hitherto prevented him from accomplishing this object. Meanwhile Señor Don Felipe Molina has been received as chargé d'affaires of Guatemala here, and has been empowered to effect the exchange on the part of that Government.

I accordingly recommend that the Senate authorize a further extension of the period for exchanging the ratifications, in order that the convention may go into operation. It is presumed that if this recommendation should be adopted, a few weeks from the date of the decision of the Senate upon the subject would be necessary to complete the preparations for carrying it into effect.

MILLARD FILLMORE.

WASHINGTON, 5th May, 1852.

[Confidential.]

To the Senate of the United States :

I transmit to the Senate, for their consideration and advice with regard to its ratification, a convention between the United States and the Free and Hanseatic Republics of Hamburg, Bremen, and Lubeck, signed in this city, by their respective plenipotentiaries, on the 30th day of

April, A. D. 1852, for the mutual extension of the jurisdiction of consuls.

A copy of a note from the special plenipotentiary of Hamburg, Bremen, and Lubeck accompanies the convention.

MILLARD FILLMORE.

WASHINGTON, 1st May, 1852.

The messages were read.

Ordered, That the nomination of Nathaniel Jackson be referred to the Committee on Commerce.

Ordered, That the nomination of William N. Whitehurst be referred to the Committee on Public Lands.

Ordered, That the nomination of Pearson B. Reading be referred to the Committee on Indian Affairs.

Ordered, That the nomination of Samuel Barstow be referred to the Committee on the Judiciary.

Ordered, That the nomination of Edward J. Phelps be referred to the Committee on Finance.

Ordered, That the message recommending an extension of time for ratifying the treaty between the United States and the Republic of Guatemala be referred to the Committee on Foreign Relations.

The convention for the mutual extension of the jurisdiction of consuls, between the United States of America and the Free and Hanseatic Republics of Hamburg, Bremen, and Lubeck, concluded at the city of Washington the 30th day of April, anno Domini 1852, was read the first time.

On motion by Mr. Douglas,

Ordered, That the convention, together with the message and documents accompanying the same, be referred to the Committee on Foreign Relations, and printed in confidence for the use of the Senate.

Mr. Felch, from the Committee on Public Lands, to whom were referred, the 30th January last, the nominations of George B. Sargent and E. M. Burton, on the 19th March that of John W. Argyle, and on the 30th April that of Marmaduke D. I. Slade, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Hamlin, from the Committee on Commerce, to whom was referred, the 6th April, the nomination of Henry Munro, and on the 26th April that of Alfred Palmer, reported.

On motion by Mr. Hamlin,

The Senate proceeded to consider the nomination of Henry Munroe; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Miller, from the Committee on Finance, to whom was this day referred the nomination of Edward J. Phelps, reported.

On motion by Mr. Gwin,

The Senate proceeded to consider the resolution submitted by Mr. Weller the 9th April, in relation to the making of Indian treaties in California; and

After debate,

On the question, Will the Senate agree to the said resolution?

It was determined in the negative, { Yeas..... 17
Nays 19

On motion by Mr. Weller,

The yeas and nays being desired by one-fifth of the Senators present,
Those who voted in the affirmative are,

Messrs. Adams, Bayard, Borland, Bradbury, Bright, Brodhead, Dodge of Wisconsin, Dodge of Iowa, Douglas, Felch, Gwin, Hamlin, Houston, Jones of Iowa, Norris, Rusk, Weller.

Those who voted in the negative are,

Messrs. Badger, Bell, Berrien, Brooke, Clarke, Dawson, Fish, Geyer, Jones of Tennessee, King, Mangum, Morton, Pearce, Pratt, Sebastian, Seward, Underwood, Upham, Wade.

So the resolution was not agreed to.

On motion by Mr. Weller, that the injunction of secrecy be removed from the proceedings on the said resolution,

After debate,

On motion by Mr. Dawson,
The Senate adjourned.

TUESDAY, MAY 11, 1852.

On motion by Mr. Hamlin, the Senate proceeded to consider the nominations of William Walton, Spiridion Ladica, John Morand, Joseph Augustus Henriques, Judah Solomon Levy, Meshod Abecasis, Manuel Barcena, and Francis B. Ogden; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Atchison, from the Committee on Indian Affairs, to whom was referred, the 5th instant, the nomination of Pearson B. Reading, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

MONDAY, MAY 24, 1852.

The following messages were received from the President of the United States, by Mr. Fillmore, his secretary:

To the Senate of the United States:

I nominate Marmaduke J. Slade to be receiver of public moneys at Tuscaloosa, Alabama, to correct an error in the former nomination, in which his name was given as Marmaduke D. I. Slade.

MILLARD FILLMORE.

WASHINGTON CITY, May 7th, 1852.

To the Senate of the United States:

I hereby nominate Benjamin G. Ferris, of New York, to be secretary for the Territory of Utah, in the place of B. D. Harris, resigned.

MILLARD FILLMORE.

WASHINGTON, 19th May, 1852.

To the Senate of the United States:

I hereby nominate Samuel Stokeley, of Ohio, to be chief justice of the supreme court of the United States for the Territory of Utah, in the place of L. G. Brandebury, resigned.

MILLARD FILLMORE.

WASHINGTON, May —, 1852.

To the Senate of the United States :

Crawford Bell, deputy postmaster at Evansville, in the county of Vanderburg and State of Indiana, having resigned his office as such deputy postmaster which he held under an appointment during the recess of the Senate, I hereby withdraw the nomination of said Crawford Bell and nominate William H. Chandler to be deputy postmaster at Evansville aforesaid, in place of said Crawford Bell, resigned.

MILLARD FILLMORE.

EXECUTIVE CHAMBER, *Washington, May 24, 1852.*

The messages were read.

The Senate, by unanimous consent, proceeded to consider the nomination of Marmaduke J. Slade; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Ordered, That the nomination of Benjamin G. Ferris be referred to the Committee on Territories.

Ordered, That the nominations of Samuel Stokely and Orson Hyde be referred to the Committee on the Judiciary.

Ordered, That the nomination of William H. Chandler be referred to the Committee on the Post-Office and Post-Roads.

The articles of a treaty made and concluded at Fort Laramie, in the Indian Territory, between D. D. Mitchell, superintendent of Indian affairs, and Thomas Fitzpatrick, Indian agent, commissioners specially appointed and authorized by the President of the United States, of the first part, and the chiefs, headman, and braves of the following Indian nations residing south of the Missouri River, east of the Rocky Mountains, and north of the lines of Texas and New Mexico, viz: The Sioux or Dah-co-tahs, Cheyennes, Arraphoes, Crows, Assinaboins, Gros-Ventres, Maudaus, and Arrickeras, parties of the second part, on the seventeenth day of September, anno Domini, one thousand eight hundred and fifty-one, were read the second time, and considered as in Committee of the Whole; and no amendment being made thereto, it was reported to the Senate.

On motion by Mr. Atchison to amend the treaty by striking out the words "fifty years" from the seventh article,

The question was stated, Shall these words stand as part of the article?

And it was unanimously determined in the negative.

So those words were stricken out of the treaty.

On motion by Mr. Badger to fill the blank with the words *twenty-five years*,

The question was stated, Shall these words stand as part of the seventh article?

And it was determined in the negative, { Yeas 12
Nays 36

Those who voted in the affirmative are,

Messrs. Badger, Clarke, Davis, Fish, Foot, Hale, Miller, Morton, Shields, Underwood, Upham, Wade.

Those who voted in the negative are,

Messrs. Adams, Atchison, Bell, Berrien, Borland, Bradbury, Bright, Brodhead, Brooke, Chase, Dawson, De Saussure, Dodge of Wisconsin, Dodge of Iowa, Downs, Felch, Geyer, Hamlin, Houston, Hunter, James, Jones of Iowa, Jones of Tennessee, King, Mallory, Norris, Pearce, Rusk, Sebastian, Smith, Soulé, Spruance, Sumner, Toucey, Walker, Weller.

So the motion was not agreed to.

On motion by Mr. Atchison to fill the blank with the words *twenty years*,

The question was stated, Shall these words stand as part of the seventh article?

And it was determined in the negative, { Yeas 24
Nays 25

Those who voted in the affirmative are,

Messrs. Atchison, Badger, Chase, Davis, Dodge of Wisconsin, Dodge of Iowa, Fish, Foot, Geyer, Hale, Hamlin, James, Jones of Iowa, Mangum, Miller, Morton, Shields, Smith, Soulé, Sumner, Toucey, Underwood, Upham, Wade.

Those who voted in the negative are,

Messrs. Adams, Bell, Berrien, Borland, Bradbury, Bright, Brodhead, Butler, Dawson, De Saussure, Downs, Felch, Houston, Hunter, Jones of Tennessee, King, Mallory, Norris, Pearce, Rusk, Sebastian, Spruance, Walker, Weller, Whitcomb.

So the motion was not agreed to.

On motion by Mr. Rusk to fill the blank with the following words:

The term of ten years with the right to continue the same at the discretion of the President of the United States for a period not exceeding five years thereafter,

The question was stated, Shall these words stand as part of the seventh article?

And it was determined in the affirmative, { Yeas 35
Nays 16

Those who voted in the affirmative are,

Messrs. Adams, Atchison, Bell, Berrien, Bradbury, Brooke, Butler, Chase, Clarke, Dawson, Dodge of Wisconsin, Dodge of Iowa, Douglas, Downs, Felch, Geyer, Hamlin, Houston, James, Jones of Iowa, King, Mallory, Mangum, Miller, Morton, Pearce, Rusk, Sebastian, Shields, Smith, Soulé, Sumner, Underwood, Upham, Weller.

Those who voted in the negative are,

Messrs. Badger, Borland, Bright, Brodhead, Davis, De Saussure, Fish, Foot, Hale, Hunter, Jones of Tennessee, Seward, Spruance, Toucey, Wade, Whitcomb.

So the motion was agreed to.

Mr. Atchison submitted the following resolution for consideration:

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the articles of a treaty made and concluded at Fort Laramie, in the Indian Territory, between D. D. Mitchell, superintendent of Indian affairs, and Thomas Fitzpatrick, Indian agent, commissioners specially appointed and authorized by the President of the United States, of the first part, and the chiefs, headmen, and braves of the following nations residing south of the Missouri River, east of the Rocky Mountains, and north of the lines of Texas and New Mexico, viz, the Sioux, or Dah-co-tahs, Cheyennes, Arapahoes, Crows, Assinaboins, Gros-Ventres, Mandans, and Arrikeras, parties of the second part, on the seventeenth day of September anno Domini one thousand eight hundred and fifty-one, with the following amendment, viz:

Article 7: Strike out the words "fifty years" and insert in lieu thereof the following:

The term of ten years. with the right to continue the same at the discretion of the President of the United States for a period not exceeding five years thereafter.

The Senate, by unanimous consent, proceeded to consider the said resolution ; and,

On the question to agree thereto,

It was determined in the affirmative, { Yeas 44
Nays 7

Those who voted in the affirmative are,

Messrs. Adams, Atchison, Bell, Berrien, Borland, Bradbury, Brooke, Butler, Cass, Chase, Clarke, Davis, Dawson, De Saussure, Dodge of Wisconsin, Dodge of Iowa, Douglas, Downs, Felch, Foot, Geyer, Hamlin, Houston, James, Jones of Iowa, Jones of Tennessee, King, Mallory, Mangum, Miller, Morton, Pearce, Rusk, Sebastian, Seward, Shields, Smith, Soulé, Spruance, Sumner, Toucey, Underwood, Upham, Weller.

Those who voted in the negative are,

Messrs. Badger, Bright, Brodhead, Fish, Hale, Hunter, Wade.

So the resolution was agreed to.

Ordered, That the Secretary lay the said resolution before the President of the United States.

TUESDAY, MAY 25, 1852.

On motion by Mr. Atchison,

Ordered, That the injunction of secrecy be removed from the proceedings of the Senate upon the articles of a treaty made and concluded at Fort Laramie, in the Indian Territory, with certain Indian tribes therein mentioned, which was ratified, with an amendment, the 24th instant, and from the documents accompanying the same.

MONDAY, JUNE 7, 1852.

The following messages were received from the President of the United States, by Mr. Fillmore, his secretary :

To the Senate of the United States :

I hereby nominate John W. W. Snead to be deputy postmaster at Milledgeville, State of Georgia, in place of Ezra Daggett, deceased.
MILLARD FILLMORE.

EXECUTIVE CHAMBER, *May 28*, 1852.

To the Senate of the United States :

I communicate to the Senate herewith, for its constitutional action thereon, eighteen treaties negotiated with Indian tribes in California, as described in the accompanying letter of the Secretary of the Interior dated the 22d ultimo, with a copy of the report of the superintendent of Indian affairs for the State of California, and other correspondence in relation thereto.

MILLARD FILLMORE.

WASHINGTON, *June 1*, 1852.

The messages were read.

On motion by Mr. Dawson,

The Senate, by unanimous consent, proceeded to consider the nomination of John W. W. Snead ; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

A treaty of peace and friendship made and entered into at Camp Belt, on King's River, in the State of California, on the thirteenth day of May, eighteen hundred and fifty-one, between George W. Barbour, one of the commissioners appointed by the President of the United States to make treaties with the various Indian tribes in the State of California, and having full authority to do so, of the first part, and the chiefs, captains, and headmen of the following tribes of Indians, to wit: The Ta-ches, Cah-wia, Yo-kol, Ta-lum-ne, Wie-chum-ne, Hol-cu-ma, To-e-neche, Tu-huc-mach, In-tim-peach, Choi-nuck, We-mil-ches, and No-ton-toes, of the second part, was read the first time.

A treaty of peace and friendship made and entered into at Camp Keyes, on the Cahwia River, in the State of California, on the thirtieth day of May, eighteen hundred and fifty-one, between George W. Barbour, one of the commissioners appointed by the President of the United States to make treaties with the various Indian tribes in the State of California, and having full authority to do so, of the first part, and the chiefs, captains, and headmen of the following tribes of Indians, to wit: Ko-ya-te, Wo-la-si, Nu chow-we, Wack-sa che, Pal-wisha, Po-ken-welle, and Ya-wil-chine, of the second part, was read the first time.

A treaty of peace and friendship formed and concluded at Camp Burton, on Paint Creek, in the State of California, on the third day of June, eighteen hundred and fifty-one, between George W. Barbour, one of the commissioners appointed by the President of the United States to make treaties with the various Indian tribes in the State of California, and having full authority to act, of the first part, and the chiefs, captains, and headmen of the following tribes of Indians, to wit: Chu-nute, Wo-wol, Yo lum-ne, and Co-ye-tic, of the second part, was read the first time.

A treaty of peace and friendship made and entered into at Camp Persifer F. Smith, at the Texan Pass, in the State of California, on the tenth day of June, eighteen hundred and fifty-one, between George W. Barbour, one of the commissioners appointed by the President of the United States to make treaties with the various Indian tribes in the State of California, and having full authority to act, of the first part, and the chiefs, captains, and headmen of the following tribes of Indians, to wit: Castake, Texon, San Imirio, Uvas, Carises, Buena Vista, Sena-hu-ow, Holo-cla-me, Soho-nuts, To-ci a, and Hol-mi-uh, of the second part, was read the first time.

A treaty of peace and friendship made and concluded at Dent's and Vantine's Crossings, on the Stanislaus River, California, between the commissioner plenipotentiary of the United States of America, of the one part, and the chiefs, captains, and headmen of the Ion'ol-umnes, We-chilla, Suca-uh, Co to-planemis, Chap-pah-sims, and Sage-wom-nestribes, of the other part, on the twenty eighth day of May, in the year of our Lord eighteen hundred and fifty-one, was read the first time.

A treaty of peace and friendship made and concluded at Camp Union, near the Yuba River, between the United States Indian agent, O. M. Wozencraft, of the one part, and the chiefs, captains, and headmen of the following tribes, viz: Das pia-ya-do, Yol-la-mer, Wai-de-pa-can, On-o-po-ma, Mon-e-da, Wan-nuch, Nem-shaw, Bem-pi, Ya-cum-na tribes, of the other part, on the eighteenth day of July, in the year of our Lord eighteen hundred and fifty-one, was read the first time.

A treaty of peace and friendship made and concluded near Bidwell's Ranch, on Chico Creek, between the United States Indian agent, O. M. Wozencraft, of the one part, and the chiefs, captains, and headmen of the following tribes, viz: Mi-chop-da, Es kuin, Ho-lo-lu-pi, To-to, Su-nus,

Che no, Bat-si, Yut-duc, Sim-sa-wa tribes, of the other part, on the first day of August, in the year of our Lord eighteen hundred and fifty-one, was read the first time.

A treaty of peace and friendship made and concluded at Reading's Rancho, on Cottonwood Creek, California, between the United States Indian agent, O. M. Wozencraft, of the one part, and the chiefs, captains, and headmen of the following tribes or bands, viz: Noe-ma, Noe-ma, Y. Lac-ca, Noi-me, Noi-me, on the sixteenth day of August, eighteen hundred and fifty-one, was read the first time.

A treaty of peace and friendship made and concluded at Camp Colus, on Sacramento River, California, between the United States Indian agent, O. M. Wozencraft, of the one part, and the chiefs, captains, and headmen of the following tribes or bands, viz: Colus, Willeys, Co-ha-na, Tat-nah, Cha, Doc, Duo, Cham-met-co, Toc-de, on the ninth day of September, in the year of our Lord eighteen hundred and fifty-one, was read the first time.

A treaty of peace and friendship made and concluded at the Fork of Cosumnes River, between the United States Indian agent, O. M. Wozencraft, of the one part, and the chiefs, captains, and headmen of the following tribes, viz: Cu-lu, Yas si, Loc-lum-ne, and Wo-pum-nes, on the eighteenth day of September, in the year of our Lord eighteen hundred and fifty-one, was read the first time.

A treaty of peace and friendship made and concluded at the village of Temecula, California, between the United States Indian agent, O. M. Wozencraft, of the one part, and the captains and headmen of the following nations, viz: The nation of San Luis Rey Indians, the Kah-wé-as, and the tribe of Co-cóm-cah-ras, on the fifth day of January, in the year of our Lord eighteen hundred and fifty-two, was read the first time.

A treaty of peace and friendship made and concluded at the village of Santa Ysabel, California, between the United States Indian agent, O. M. Wozencraft, of the one part, and the captains and headmen of the nation of Disquinos Indians, on the seventh day of January, in the year of our Lord eighteen hundred and fifty-two, was read the first time.

A treaty made and concluded on the nineteenth day of March, in the year eighteen hundred and fifty-one at Camp Frémont, near the Little Mariposa River, in the State of California, between Redick McKee, George W. Barbour, and Oliver M. Wozencraft, commissioners appointed by the President of the United States to treat with the various tribes of Indians in the State of California, of the one part, and the chiefs, captains, and headmen of the Si-yan-te, Po-to-yan-te, Co-co noon, Apaug-as-se, Aplache, and Awal-a che tribes of Indians, of the other part, was read the first time.

A treaty of peace and friendship made and concluded at Camp Barbour, on the San Joaquin River, California, between Redick McKee, George W. Barbour, and O. M. Wozencraft, commissioners thereto specially appointed on the part of the United States, and the undersigned chiefs, captains, and headmen of the tribes or bands of Indians now in council at this camp, known as the How-ech-ees, Chook-chanees, Chow-chil-lies, Poho-nee-chees, and Nook-choos, which five tribes or bands, acknowledge Nai-yak-gua as their principal chief; also the Pit-cat-chees, Cassons, Toom-nas, Tallin-chees, and Pos-kesas, which five tribes or bands acknowledge Tom-quit as their principal chief; also the Wa-cha-et, Itachees, Cho-e-nem-nees, Cho-ki-men-as, We-mal-ches, and No-to-no-tos, which six tribes or bands acknowledge Pás-qual as their principal chief, on the twenty-ninth day of April, anno Domini eighteen hundred and fifty-one, was read the first time.

A treaty of peace and friendship made and concluded at Camp Lap-yu-ma, on the south side of Clear Lake, between Redick McKee, one of the Indian agents specially appointed to make treaties with the various Indian tribes in California, on the part of the United States, and the undersigned chiefs, captains, and headmen of the tribes or bands of Indians now in council at this camp, known as the Ca-bu-na-po tribe, represented by the chief Ju-lío and captains; Ha-bi-na-po tribe, represented by the chief Pri e-to and his captains; Da-no-ha-bo tribe, represented by the chief Ku-kee; Mo-al-kai tribe, represented by the chief Moh shan and his captains; Che-com tribe, represented by the chief Cal e-u-hin and his captains; How-ku-ma tribe, represented by the chief Chi-bee and his captains; Cha-nel-kai tribe, represented by the chief Con chu, and the Me-dam-a-rec tribe, represented by the chief Co-e-n-e, on the twentieth day of August, anno Domini eighteen hundred and fifty-one, was read the first time.

A treaty of peace and friendship made and concluded at Camp Fernando Feliz, on Russian River, California, between Redick McKee, one of the Indian agents specially appointed to make treaties with the various Indian tribes in California, on the part of the United States, and the undersigned chiefs, captains, and headmen of the tribes or bands of Indians now in council at this camp, known as the Sai-nelle tribe, represented by the chief Chas-kan and captains; Yu-ki-as tribe, represented by the chief Ko-yo-to-was-sa and captains; Mas-su-ta-ka-ya tribe, represented by the chief Cal-pel-la and captains; Po-mo tribe, represented by the chief Chi-bem, on the twenty-second day of August, anno Domini eighteen hundred and fifty-one, was read the first time.

A treaty of peace and friendship made and concluded at Camp Klamath, at the junction of the Klamath and Trinity Rivers, between Redick McKee, one of the Indian agents specially appointed to make treaties with the various Indian tribes in California, on the part of the United States, and the chiefs, captains, and headmen of the tribes or bands of Indians now in council at this camp, representing the Poh lik or Lower Klamath, the Peh-tsick or Upper Klamath, and the Hoo-pah or Trinity River Indians, containing also stipulations preliminary to future measures to be recommended for adoption on the part of the United States, on the sixth day of October, anno Domini eighteen hundred and fifty-one, was read the first time.

A treaty of peace and friendship made and concluded at camp in Scott's Valley, Shasta County, California, between Redick McKee, one of the Indian agents specially appointed to make treaties with the various Indian tribes in California, on the part of the United States, and the undersigned chiefs, captains, and headmen now in council at this camp, representing the Upper Klamath, Shasta, and Scott's River Indians, residing severally in 24, 19, and 7 rancherias or villages, and known as the O-de-i-lah tribe or band, Ishack, chief, from the Upper Klamath River, I-ka-ruck tribe or band, Tso-hor git-sho, chief, from Shasta Valley, Ko-so-tah tribe or band, Ada-war-how-ik, chief, from Shasta Valley; I-da-kai-i-waka-ha tribe or band, I-da-kai-i-waka-ha, chief, from Shasta Valley; Wat sa-he-wa tribe or band, Ar-rats-a-cho-i-ca, chief, from Scott's Valley; E'eh tribe or band, An-na-nik-a-hok, chief, from Scott's Valley; on the fourth day of November, anno Domini eighteen hundred and fifty-one, was read the first time.

On motion by Mr. Gwin,

Ordered, That the Indian treaties this day received and read, together with the message and documents accompanying the same, be referred

to the Committee on Indian Affairs and printed in confidence for the use of the Senate.

Mr. Davis, from the Committee on Commerce, to whom was referred, the 11th March, the nomination of James H. Adams, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Davis, from the Committee on Commerce, to whom was referred, the 5th May, the nomination of Nathaniel Jackson, reported.

Mr. Felch, from the Committee on Public Lands, to whom was referred, the 5th May, the nomination of William N. Whitehurst, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Butler, from the Committee on the Judiciary, to whom was referred, the 24th May, the nomination of Samuel Stokeley, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Butler, from the Committee on the Judiciary, to whom was referred, the 24th May, the nomination of Orson Hyde, reported.

On motion by Mr. Butler,

The Senate proceeded to consider the said nomination; and

After debate,

On motion by Mr. Mangum,

Ordered, That it lie on the table.

Mr. Douglas, from the Committee on Territories, to whom was referred, the 24th May, the nomination of Benjamin G. Ferris, reported.

Mr. Rusk, from the Committee on the Post-Office and Post-Roads, to whom was referred, the 20th December last, the nomination of William H. Robbins, and, on the 24th May, that of William H. Chandler, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Chase presented a memorial from W. G. Le Duc and others, of Minnesota Territory, praying for the ratification of certain treaties with the Sioux Indians; which was ordered to lie on the table.

Mr. Mason, from the Committee on Foreign Relations, reported the following order; which was considered and agreed to:

Ordered, That the original papers which were transmitted with the convention between the United States and the Mexican Republic for the protection of a transit-way across the Isthmus of Tehuantepec, concluded at the City of Mexico, the 25th January, 1851, be returned to the Department of State.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred the message of the President of the 5th May on the subject, reported the following preamble and resolution:

Whereas the time limited by the thirty-third article of the general convention of peace, amity, commerce, and navigation between the United States of America and the Republic of Guatemala, concluded at the city of Guatemala, the 3d day of March, in the year of our Lord 1849, for the exchange of ratifications of the same, has expired before such ratifications could be effected: Be it therefore,

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the exchange of ratifications of the gen-

eral convention aforesaid, at any time prior to the first day of November next, whenever the same can be effected, between the authorities of the United States and the duly constituted authority of the Government of the Republic of Guatemala, and the said ratifications shall be deemed and taken to have been regularly exchanged, the limitation contained in said convention to the contrary notwithstanding.

The Senate, by unanimous consent, proceeded to consider the said preamble and resolution, and unanimously agreed thereto.

Mr. Bradbury, from the Committee on the Judiciary, to whom was referred, the 1st April, the message of the President of the 30th March, together with the preamble and resolution upon the subject submitted by Mr. Downs the 30th March, and the amendment proposed thereto by Mr. Brooke the 1st April, made the following report :

The Committee on the Judiciary, to whom was referred the message of the President sending back to the Senate, pursuant to a resolution sent to him for that purpose, the resolution consenting to the appointment of George C. Laurason as collector of the customs for the district of New Orleans, and the preamble and resolutions submitted the 30th March, together with the amendment proposed thereto on the 1st April last, have had the same under consideration, and report :

That the object in having this case returned to the Senate was to examine certain charges suggested against the person appointed, but which were not presented when the nomination was acted on, in consequence of the circumstances stated in the preamble and resolutions presented in this case. These charges have since been presented to the committee, and before inquiring into the power of the Senate to make such a call on the President, or its expediency, it was deemed advisable to examine those charges, for if not well founded there would be no object in having the nomination sent back. On examining the charges or grounds of objection, the committee are of opinion that they are not valid, and would not have made any difference in the decision of the Senate if they had been known when the nomination was acted on. Having arrived at this conclusion, the committee deemed it unnecessary to proceed further in the investigation, and therefore express no opinion as to the power of the Senate or the expediency of recalling a nomination once approved, or whether, as the President seems to suppose, the appointment was complete by the signing by him of the commission, and therefore report the following resolution, and recommend its passage :

Resolved, That the objections suggested against George C. Laurason, nominated as collector of the customs for the district of New Orleans, being, in the opinion of the Senate, not of such a nature as to render his rejection proper, it is unnecessary and inexpedient to take any further action on the subject.

A resolution is also reported changing the rule of the Senate when acting on nominations, which would seem to be necessary and proper from the circumstances of this case :

Resolved, That no resolution expressing the consent of the Senate to a nomination shall be submitted to the President within ——— hours of its passage, without the special order of the Senate to that effect.

On motion by Mr. Bradbury,

The Senate, by unanimous consent, proceeded to consider the first resolution contained in said report, and agreed thereto.

On motion by Mr. Bradbury,

Ordered, That the Secretary return the resolution advising and consenting to the appointment of George C. Laurason to the President of the United States.

Mr. Weller submitted the following resolution for consideration :

Resolved, That the President of the United States be requested to inform the Senate whether any propositions have been made by the King of the Sandwich Islands to cede or convey the sovereignty of said islands to the United States; if so, to communicate to the Senate all official information in his possession touching said subject.

TUESDAY, JUNE 8, 1852.

On motion by Mr. Cass, and by unanimous consent,

Ordered, That during the sickness or necessary absence of the doorkeeper or assistant doorkeeper, an acting assistant doorkeeper be appointed by the President of the Senate, to serve when the Senate is engaged on confidential or executive business, who shall be sworn to support the Constitution and to keep the secrets of the Senate.

Whereupon

Isaac Bassett was appointed and took the prescribed oath.

The Senate, as in Committee of the Whole, resumed the consideration of the treaty with the See-see-toan and Wah-pa-toan bands of Dakota or Sioux Indians; and

After debate,

On motion by Mr. Mason,

The Senate adjourned.

WEDNESDAY, JUNE 9, 1852.

Mr. Atchison presented a memorial of Henry H. Sibley, Delegate in Congress from the Territory of Minnesota, in favor of the ratification of the treaties lately made with the Dakota or Sioux Indians; which was ordered to lie on the table.

The Senate, as in Committee of the Whole, resumed the consideration of the treaty with the See-see-toan and Wah-pa-toan bands of Dakota or Sioux Indians; and,

On motion by Mr. Sebastian to amend the treaty by adding to the third article the following proviso :

Provided, and it is further agreed, that the President of the United States may at any time hereafter require the removal of said Indians from the reserved territory and provide for them another home, by paying to said Indians per capita the same rate of compensation per acre as is stipulated for the lands conveyed, and in addition thereto a fair and just compensation for their improvements and the expenses of removal, deducting therefrom the amount necessary to be paid for the privilege of occupying the territory to which they may be removed,

The question was stated, Shall these words stand as part of the article?

And it was determined in the negative, { Yeas..... 14
Nays 29

Those who voted in the affirmative are,

Messrs. Atchison, Borland, Bradbury, Brodhead, Brooke, Davis, Dawson, Hunter, King, Mangum, Sebastian, Spruance, Underwood, Weller.

Those who voted in the negative are,

Messrs. Adams, Bell, Bright, Cass, Chase, Clemens, Cooper, De Sausure, Dodge of Iowa, Felch, Foot, Geyer, Hale, Hamlin, Houston, James,

Jones of Iowa, Jones of Tennessee, Mason, Rusk, Seward, Shields, Smith, Stockton, Sumner, Toucey, Upham, Wade, Walker.

So the amendment was not agreed to.

On motion by Mr. Atchison, to amend the treaty by striking out the third article, as follows:

"ARTICLE III. In part consideration of the foregoing cession, the United States do hereby set apart for the future occupancy and home of the Dakota Indians parties to this treaty, to be held by them as Indian lands are held, all that tract of country on either side of the Minnesota River, from the western boundary of the lands herein ceded east to the Tchay-tam-bay River on the north and to the Yellow Medicine River on the south side, to extend on each side a distance of not less than ten miles from the general course of said river; the boundaries of said tract to be marked out by as straight lines as practicable, whenever deemed expedient by the President, and in such manner as he shall direct,"

The question was stated, Will the Senate advise and consent to the ratification of this article?

And it was determined in the negative, { Yeas 24
Nays 19

Those who voted in the affirmative are,

Messrs. Borland, Chase, Dodge of Wisconsin, Dodge of Iowa, Felch, Foot, Geyer, Gwin, Hale, Hamlin, Houston, James, Jones of Iowa, Jones of Tennessee, King, Morton, Rusk, Seward, Shields, Smith, Soulé, Sumner, Wade, Walker.

Those who voted in the negative are,

Messrs. Adams, Atchison, Bell, Bradbury, Brodhead, Davis, Dawson, De Saussure, Douglas, Mallory, Mangum, Mason, Miller, Pratt, Sebastian, Spruance, Toucey, Underwood, Weller.

So (two-thirds of the Senators present not voting in the affirmative) the third article was stricken from the treaty.

On motion by Mr. Atchison,

Ordered, That the further consideration of the treaty be postponed until to morrow.

On motion by Mr. Atchison that the vote of the Senate of the 7th instant passing the order for printing certain Indian treaties, together with the message and documents accompanying the same, be reconsidered,

It was determined in the affirmative.

On motion by Mr. Atchinson,

The said order was amended and agreed to as follows:

Ordered, That the Indian treaties received and read the 7th instant, with the message of the President and the reports of the Secretary of the Interior, of the Commissioner of Indian Affairs, and of the superintendent for Indian affairs in California accompanying the same, be printed in confidence for the use of the Senate, and be referred, together with the other documents and papers received therewith, to the Committee on Indian Affairs.

On motion by Mr. Miller,

The Senate proceeded to consider the nomination of Edward J. Phelps; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

THURSDAY, JUNE 10, 1852.

The Senate, as in the Committee of the Whole, resumed the consideration of the treaty with the See-see-toan and Wah-pa-toan bands of Dakota or Sioux Indians; and

After debate,

On motion by Mr. Bell,

The Senate adjourned.

FRIDAY, JUNE 11, 1852.

The Senate, as in Committee of the Whole, resumed the consideration of the treaty with the See see-toan and Wah-pa-toan bands of Dakota or Sioux Indians; and,

On motion by Mr. Atchison to amend the treaty by adding thereto the following supplemental article :

1st. The United States do hereby stipulate to pay the Sioux bands of Indians parties to this treaty at the rate of ten cents per acre for the lands included in the reservation provided for in the third article of the treaty, as originally agreed upon, in the following words :

"ARTICLE III. — In part consideration of the foregoing cession, the United States do hereby set apart for the future occupancy and home of the Dakota Indians parties to this treaty, to be held by them as Indian lands are held, all that tract of country on either side of the Minnesota River, from the western boundary of the lands herein ceded east to the Tchay-tam-bay River on the north and to the Yellow Medicine River on the south side, to extend on each side a distance of not less than ten miles from the general course of said river ; the boundaries of said tract to be marked out by as straight lines as practicable, whenever deemed expedient by the President, and in such manner as he shall direct," which article has been stricken out of the treaty by the Senate. The said payment to be in lieu of said reservation ; the amount, when ascertained under instructions from the Department of the Interior, to be added to the trust fund provided for in the fourth article.

2d. It is further stipulated that the President be authorized, with the assent of the said bands of Indians parties to this treaty, and as soon after they shall have given their assent to the foregoing article as may be convenient, to cause to be set apart, by appropriate land-marks and boundaries, such tracts of country without the limits of the cession made by the first article of the treaty as may be satisfactory for their future occupancy and home: Provided, That the President may, by the consent of these Indians, vary the conditions aforesaid, if deemed expedient.

After debate,

The question was stated, Shall these words stand as part of the treaty ?

And it was determined in the affirmative, { Yeas..... 41
Nays..... 4

Those who voted in the affirmative are,

Messrs. Adams, Atchison, Badger, Bayard, Bell, Borland, Bright, Brooke, Butler, Charlton, Chase, Davis, Dawson, De Saussure, Dodge of Wisconsin, Dodge of Iowa, Douglas, Felch, Foot, Geyer, Gwin, Hamlin, Hunter, Jones of Iowa, Jones of Tennessee, King, Mangum, Miller, Pearce, Rusk, Sebastian, Seward, Smith, Soulé, Spruance, Sumner, Toucey, Underwood, Upham, Walker, Weller.

Those who voted in the negative are,
Messrs. Clemens, Houston, Mason, Pratt.
So the amendment was agreed to.

On motion by Mr. Atchison,
Ordered, That the further consideration of the treaty be postponed until to-morrow.

Mr. Mason submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the President of the United States be requested to inform the Senate whether instructions were given by authority of the Executive to A. B. Gray, late surveyor on the part of the United States, appointed to designate the boundary line between the United States and Mexico, pursuant to the fifth article of the treaty with Mexico, concluded at Guadalupe-Hidalgo on the 2d day of February, in the year 1848, to affix his signature to the papers necessary to establish the initial point on the southern boundary of New Mexico, in the line of thirty-two degrees and twenty-two minutes of north latitude.

And whether like instructions, or any other touching said initial point, have been given to Brevet Major Emory, nominated to the Senate as surveyor in the place of A. D. Gray, removed.

And that the President be requested to communicate to the Senate copies of such instructions if any were given.

On motion by Mr. Weller,

The Senate proceeded to consider the resolution submitted by him the 7th instant; and the same having been modified, was agreed to as follows:

Resolved, That the President of the United States be requested to inform the Senate, if not incompatible with the public interest, whether any propositions have been made by the King of the Sandwich Islands to cede or convey the sovereignty of said islands to the United States; if so, to communicate to the Senate all official information in his possession touching said subject.

On motion by Mr. Miller,

The Senate proceeded to consider the nomination of Benjamin G. Ferris; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

SATURDAY, JUNE 19, 1852.

The following messages were received from the President of the United States, by Mr. Fillmore, his secretary:

To the Senate of the United States:

I nominate J. Winthrop Taylor, now a passed assistant surgeon in the Navy, from the 1st May, 1852, to fill a vacancy occasioned by the death of Surgeon Edward J. Rutter.

E. F. Drayton, of Pennsylvania, to be an assistant surgeon in the Navy, to fill the vacancy occasioned by the promotion of J. Winthrop Taylor.

MILLARD FILLMORE.

WASHINGTON, June 8, 1852.

To the Senate of the United States:

I hereby nominate John Greiner to be secretary of the Territory of New Mexico, in the place of William S. Allen, resigned.

MILLARD FILLMORE.

WASHINGTON, 13 June, 1852.

To the Senate of the United States :

I transmit to the Senate, for its consideration with a view to ratification, a convention between the United States and the Sultan of Borneo, signed at Bruni on the 23d of June, 1850. A copy of two dispatches to this Department from Mr. Balestier, who concluded the convention on the part of this Government, one dated the 22d of April and the other the 24th June, 1851, is also transmitted for the information of the Senate. As the period limited for the exchange of the ratifications, which is to be effected at Bruni, will expire on the 23d instant, I recommend that if the Senate should approve the convention, authority may be given to perform that ceremony within a year from that date. The instrument would have been submitted to the Senate in season for the ratification to be exchanged within the stipulated time, had not Mr. Balestier's arrival with it in the United States been unavoidably delayed.

MILLARD FILLMORE.

WASHINGTON, *June 11, 1852.*

The messages were read.

Ordered, That the nominations of J. Winthrop Taylor and E. F. Dayton be referred to the Committee on Naval Affairs.

Ordered, That the nomination of John Greiner be referred to the Committee on Territories.

The convention of peace, friendship, and good understanding between the United States of America and His Highness the Sultan of Borneo, concluded at the city of Bruni on the 23d day of June, anno Domini, 1850, was read the first time.

On motion by Mr. Mason,

Ordered, That the said convention, together with the message and documents, be referred to the Committee on Foreign Relations.

Mr. Bradbury, from the Committee on the Judiciary, to whom was referred, the 5th May, the nomination of Samuel Barstow, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

TUESDAY, JUNE 22, 1852.

The following message was received from the President of the United States, by Mr. Fillmore, his secretary :

To the Senate of the United States :

I nominate Richard W. Meade to be a lieutenant in the Navy, from the 20th day of December, 1837, to take rank next after Lieutenant John R. Tucker.

MILLARD FILLMORE.

WASHINGTON, *June 16, 1852.*

The message was read.

Ordered, That the nomination of Richard W. Meade be referred to the Committee on Naval Affairs.

The Senate, as in Committee of the Whole, resumed the consideration of the treaty with the See-see-toan and Wah-pa-toan bands of Dakota or Sioux Indians; and no further amendment being made thereto, it was reported to the Senate and the amendments were unanimously concurred in.

Mr. Atchison submitted the following resolution for consideration :

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the articles of a treaty made and concluded at Traverse des Sioux, upon the Minnesota, on the twenty-third day of July, eighteen hundred and fifty-one, between the United States of America, by Luke Lea, Commissioner of Indian Affairs, and Alexander Ramsay, governor and *ex-officio* superintendent of Indian affairs in said Territory, commissioners duly appointed for that purpose, and the See-see-toan and Wah-pa-toan bands of Dakota Indians, with the following amendments: Strike out the third article of the treaty, and add the following supplemental article:

1. *The United States do hereby stipulate to pay the Sioux bands of Indians parties to this treaty, at the rate of ten cents per acre, for the lands included in the reservation, provided for in the third article of the treaty as originally agreed upon in the following words: "Article III. In part consideration of the foregoing cession the United States do hereby set apart, for the future occupancy and home of the Dakota Indians, parties to this treaty, to be held by them as Indian lands are held, all that tract of country on either side of the Minnesota River, from the western boundary of the lands herein ceded east to the Tchay-tam-bay River, on the north, and to the Yellow Medicine River on the south side, to extend on each side a distance of not less than ten miles from the general course of said river, the boundaries of said tract to be marked out by as straight lines as practicable, whenever deemed expedient by the President, and in such manner as he shall direct," which article has been stricken out of the treaty by the Senate. The said payment to be in lieu of said reservation, the amount, when ascertained under instructions from the Department of the Interior, to be added to the trust fund provided for in the fourth article.*

2d. *It is further stipulated that the President be authorized with the assent of the said bands of Indians parties to this treaty, and as soon after they shall have given their assent to the foregoing article as may be convenient, to cause to be set apart by appropriate landmarks and boundaries such tracts of country without the limits of the cession made by the first article of the treaty as may be satisfactory for their future occupancy and home: Provided, That the President may by the consent of these Indians vary the conditions aforesaid, if deemed expedient.*

The Senate, by unanimous consent, proceeded to consider the said resolution; and on the question to agree thereto,

It was determined in the affirmative, { Yeas 25
Nays 12

Those who voted in the affirmative are,

Messrs. Atchison, Borland, Brooke, Cooper, Davis, Dodge of Wisconsin, Dodge of Iowa, Felch, Foot, Gwin, Hale, Houston, Jones of Iowa, Mallory, Rusk, Sebastian, Seward, Shields, Smith, Sumner, Toucey, Wade, Walker, Weller, Whitcomb.

Those who voted in the negative are,

Messrs. Bayard, Bell, Brodhead, Charlton, Dawson, De Saussure, Fish, King, Pearce, Pratt, Soulé, Underwood.

So the resolution was agreed to.

Ordered, That the Secretary lay the said resolution before the President of the United States.

The articles of a treaty made and concluded at Mendota, in the Territory of Minnesota, on the fifth day of August, eighteen hundred and fifty-one, between the United States of America, by Luke Lea, Commissioner of Indian Affairs in said Territory, commissioner duly appointed for that purpose, and the Med-ay-wa-kan-toan and Wah-pay-

koo-tay bands of Dakota, or Sioux Indians, was read the second time.

The Senate, as in Committee of the Whole, proceeded to consider the said treaty; and,

On motion by Mr. Atchison to strike out the third article,

The question was stated, Will the Senate advise and consent to the ratification of the third article of the treaty?

And it was unanimously determined in the negative.

On motion by Mr. Atchison to add to the treaty the following supplemental article—

The United States do hereby stipulate to pay the Sioux bands of Indians parties to this treaty, at the rate of ten cents per acre for the lands included in the reservation, provided for in the third article of the treaty, as originally agreed upon in the following words: "Article III. In part consideration of the foregoing cession, the United States do hereby set apart for the future occupancy and home of the Dakota Indians parties to this treaty, to be held by them as Indian lands are held, all that tract of country on either side of the Minnesota River, from the western boundary of the lands herein ceded, east, to the Tchay-tam-bay River on the north, and to the Yellow Medicine River on the south side, to extend on each side a distance of not less than ten miles from the general course of said river; the boundaries of said tract to be marked out by as straight lines as practicable, whenever deemed expedient by the President, and in such manner as he shall direct: Provided, That said tract shall be held and occupied by said bands in common, and that they shall hereafter participate equally and alike in all the benefits derived from any former treaty between said bands or either of them and the United States," which article has been stricken out of the treaty by the Senate. The said payment to be in lieu of said reservation; the amount, when ascertained under instructions from the Department of the Interior, to be added to the trust fund provided for in the fourth article.

2d. It is further stipulated that the President be authorized, with the assent of the said bands of Indians parties to this treaty, and as soon after they shall have given their assent to the foregoing article as may be convenient, to cause to be set apart by appropriate landmarks and boundaries such tracts of country without the limits of the cession made by the first article of the treaty as may be satisfactory for their future occupancy and home: Provided, That the President may, by the consent of these Indians, vary the conditions aforesaid if deemed expedient.

The question was stated, Shall this supplemental article stand as part of the treaty?

It was unanimously determined in the affirmative.

On the question to agree to the amendment reported from the Committee on Indian Affairs, to wit: Strike out the following article:

"ARTICLE VIII.—The half-breeds of the Sioux Nation having failed and refused to avail themselves of the provisions for their benefit in the ninth and tenth articles of the treaty concluded at Prairie-du-Chien on the fifteenth day of July, eighteen hundred and thirty, it is hereby agreed, at their request, that, in lieu of the tract of land set apart for the occupancy of said half-breeds, there shall be paid to them by the United States, under the direction of the President, the sum of one hundred and fifty thousand dollars (\$150,000): *Provided, That the non-ratification of this article shall in no manner affect the other provisions of this treaty.*"

The question was stated, Will the Senate advise and consent to the ratification of this article of the treaty?

And it was determined in the negative, { Yeas..... 9
Nays..... 24

Those who voted in the affirmative are,
Messrs. Dodge of Wisconsin, Dodge of Iowa, Hale, Jones of Iowa, Seward, Sumner, Wade, Walker, Weller.

Those who voted in the negative are,
Messrs. Atchison, Bayard, Bell, Borland, Brodhead, Charlton, Clarke, Cooper, Davis, Dawson, De Saussure, Felch, Fish, Foot, Houston, King, Pearce, Pratt, Rusk, Sebastian, Shields, Smith, Soulé, Underwood.

So the eighth article was stricken out of the treaty.

On motion by Mr. Dawson,

Ordered, That the further consideration of the treaty be postponed until to-morrow.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred, the 9th February last, the treaty of friendship, commerce, and navigation between the United States of America and the Republic of Peru, concluded at Lima on the twenty-sixth day of July, in the year of our Lord eighteen hundred and fifty-one, reported it without amendment.

WEDNESDAY, JUNE 23, 1852.

The following message was received from the President of the United States, by Mr. Fillmore, his secretary:

To the Senate of the United States :

I transmit to the Senate, for its consideration with a view to ratification, a convention for the mutual delivery of criminals, fugitives from justice, in certain cases, between the United States on the one part and Prussia and other states of the Germanic Confederation on the other part, signed in this city on the sixteenth instant.

MILLARD FILLMORE.

WASHINGTON, *June 22, 1852.*

The message was read.

The convention for the mutual delivery of criminals, fugitives from justice, in certain cases, concluded between the United States, on the one part, and Prussia and other states of the Germanic Confederation, on the other part, at Washington the 16th of June, 1852, was read the first time.

On motion by Mr. Mason,

Ordered, That the convention and message communicating the same be referred to the Committee on Foreign Relations and printed in confidence for the use of the Senate.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred, the 19th instant, the convention of peace, friendship, and good understanding between the United States of America and His Highness the Sultan of Borneo, reported it without amendment.

The said convention was read the second time, and considered as in Committee of the Whole; and no amendment being made thereto, it was reported to the Senate.

Mr. Mason submitted the following resolution for consideration:

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the convention of peace, friendship, and good understanding between the United States of America and His Highness the Sultan of Borneo, concluded at the city of Bruni, on the 23d day of June, anno Domini, 1850; and whereas the time limited by the said convention for the exchange of ratifications

of the same will have expired before such exchange of ratifications can be effected, be it further

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the exchange of ratifications of the said convention at any time prior to the fourth day of July in the year 1854, whenever the same can be effected between the authorities of the United States and the duly constituted authority of His Highness the Sultan of Borneo, and the said ratifications shall be deemed and taken to have been regularly exchanged, the limitations contained in said convention to the contrary notwithstanding.

The Senate, by unanimous consent, proceeded to consider the said resolutions; and

On the question to agree thereto,

It was determined in the affirmative, { Yeas..... 40
Nays..... 2

Those who voted in the affirmative are,

Messrs. Adams, Atchison, Badger, Bell, Brooke, Cass, Charlton, Clarke, Clemens, Cooper, Davis, Dawson, Dodge of Wisconsin, Dodge of Iowa, Douglas, Felch, Fish, Foot, Gwin, Houston, James, Jones of Iowa, King, Mallory, Mangum, Mason, Miller, Morton, Pearce, Pratt, Rusk, Sebastian, Seward, Shields, Sumner, Toucey, Underwood, Upham, Wade, Walker.

Those who voted in the negative are,

Mr. Soulé, Mr. Weller.

So the resolution was agreed to.

Ordered, That the Secretary lay the said resolution before the President of the United States.

Mr. Gwin, from the Committee on Naval Affairs, to whom were referred, the 19th instant, the nominations of J. Winthrop Taylor and E. F. Drayton, and on the 22d instant that of Richard W. Meade, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

On motion by Mr. Shields,

The Senate proceeded to consider the nominations of William H. Emory, John N. Macomb, Amiel W. Whipple, George Meade, Francis T. Bryan, and George H. Derby; and

Resolved, That the Senate advise and consent to the promotion of the said persons, agreeably to their nominations respectively.

The Senate, as in Committee of the Whole, resumed the consideration of the treaty with the Med-ay-wa-kan-toan and Wah-pay-koo-tay bands of Dakota or Sioux Indians; and no further amendment being made thereto, it was reported to the Senate.

Mr. Atchison submitted the following resolution for consideration:

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the articles of a treaty made and concluded at Mendota, in the Territory of Minnesota, on the 5th day of August, 1851, between the United States of America, by Luke Lea, Commissioner of Indian Affairs, and Alexander Ramsey, governor and ex officio superintendent of Indian affairs in said Territory, commissioners duly appointed for that purpose, and the Med-ay-wa-kan-toan and Wah-pay-koo-tay bands of Dakota or Sioux Indians, with the following amendments: Strike out the third article of the treaty, and add the following supplemental article:

1. *The United States do hereby stipulate to pay the Sioux bands of Indians parties to this treaty, at the rate of ten cents per acre for the lands*

included in the reservation provided for in the third article of the treaty as originally agreed upon in the following words: "Article III. In part consideration of the foregoing cession and relinquishment the United States do hereby set apart for the future occupancy and home of the Dakota Indians parties to this treaty, to be held by them as Indian lands are held a tract of country of the average width of ten miles on either side of the Minnesota River, and bounded on the west by the Tchay-tam bay and Yellow Medicine Rivers, and on the east by the Little Rock River and a line running due south from its mouth to the Wa-ra-ju River, the boundaries of said tract to be marked out by as straight lines as practicable whenever and in such manner as the President of the United States shall direct: Provided, That said tract shall be held and occupied by said bands in common, and that they shall hereafter participate equally and alike in all the benefits derived from any former treaty beticeen said bands or either of them and the United States," which article has been stricken out of the treaty by the Senate. The said payment to be in lieu of said reservation; the amount, when ascertained under instructions from the Department of the Interior, to be added to the trust fund provided for in the fourth article.

2d. It is further stipulated that the President be authorized, with the assent of the said bands of Indians parties to this treaty, and as soon after they shall have given their assent to the foregoing article as may be convenient, to cause to be set apart by appropriate landmarks and boundaries such tracts of country without the limits of the cession made by the first article of the treaty as may be satisfactory for their future occupancy and home: Provided, That the President may by the consent of these Indians vary the conditions aforesaid if deemed expedient.

Strike out of the treaty the following:

"ARTICLE VIII. The half-breeds of the Sioux Nation having failed and refused to avail themselves of the provisions for their benefit in the ninth and tenth articles of the treaty concluded at Prairie du Chien on the 15th of July, 1830, it is hereby agreed, at their request, that in lieu of the tract of land set apart for the occupancy of said half-breeds there shall be paid to them by the United States, under the direction of the President, the sum of one hundred and fifty thousand dollars (\$150,000): Provided, That the non-ratification of this article shall in no manner affect the other provisions of this treaty."

The Senate, by unanimous consent, proceeded to consider the said resolution, and on the question to agree thereto,

It was determined in the affirmative, { Yeas 31
Nays 13

Those who voted in the affirmative are,

Messrs. Atchison, Borland, Brooke, Cass, Clemens, Cooper, Davis, Dodge of Wisconsin, Dodge of Iowa, Douglas, Downs, Felch, Foot, Gwin, Hale, Houston, James, Jones of Iowa, Mangum, Norris, Rusk, Sebastian, Seward, Shields, Smith, Sumner, Toucey, Upham, Wade, Walker, Weller.

Those who voted in the negative are,

Messrs. Badger, Bayard, Bell, Bright, Brodhead, Charlton, Clarke, Dawson, Fish, King, Pearce, Pratt, Underwood.

So the resolution was agreed to.

Ordered, That the Secretary lay the said resolution before the President of the United States.

The treaty with the Chippewas of Pembina and Red Lake, owning the country on the Red River of the North, was read the second time, and considered as in Committee of the Whole; and no amendment being made thereto, it was reported to the Senate.

On the question, Will the Senate advise and consent to the ratification of this treaty ?

It was determined in the negative, { Yeas 7
Nays 37

Those who voted in the negative are,

Messrs. Atchison, Badger, Bayard, Bell, Bright, Brodhead, Brooke, Cass, Charlton, Cooper, Davis, Dawson, Douglas, Downs, Felch, Fish, Foot, Gwin, King, Mangum, Miller, Norris, Pearce, Pratt, Rusk, Sebastian, Seward, Shields, Smith, Soulé, Sumner, Toucey, Underwood, Upham, Wade, Walker, Weller.

So it was

Resolved, That the Senate do not advise and consent to the ratification of the articles of a treaty made and concluded at Pembina, in the Territory of Minnesota, on the 20th day of September, 1851, between the United States of America, by Alexander Ramsey, governor and *ex-officio* superintendent of Indian affairs in said Territory, commissioner duly appointed for that purpose, and the Chippewas of Pembina and Red Lake, owning the country on the Red River of the North.

Ordered, That the Secretary lay the said resolution before the President of the United States.

The treaty of friendship, commerce, and navigation with the Republic of Peru was read the second time, and considered as in the Committee of the Whole; and no amendment being made thereto, it was reported to the Senate.

Mr. Mason submitted the following resolution for consideration :

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the treaty of friendship, commerce, and navigation between the United States of America and the Republic of Peru, concluded at Lima on the 26th day of July, in the year of our Lord 1851.

The Senate, by unanimous consent, proceeded to consider the said resolution; and, on the question to agree thereto,

It was determined in the affirmative, { Yeas 37
Nays 2

Those who voted in the affirmative are,

Messrs. Adams, Badger, Bayard, Bright, Brodhead, Cass, Charlton, Clarke, Cooper, Dawson, Dodge of Wisconsin, Dodge of Iowa, Douglas, Downs, Felch, Fish, Foot, Gwin, Houston, James, Jones of Iowa, Mangum, Mason, Miller, Norris, Pearce, Pratt, Rusk, Seward, Shields, Smith, Sumner, Toucey, Underwood, Upham, Wade, Weller.

Those who voted in the negative are,

Messrs. Atchison, Walker.

So the resolution was agreed to.

Ordered, That the Secretary lay the said resolution before the President of the United States.

FRIDAY, JUNE 25, 1852.

Mr. Mason submitted the following resolution ; which was considered, by unanimous consent, and agreed to:

Resolved, That the President of the United States be requested to inform the Senate (if not in his opinion incompatible with the public interest) whether any convention or compact has been entered into on the part of the United States and the Government of Great Britain whereby the two Governments jointly recommend or advise the Republics of Costa Rica and Nicaragua, or either of those Republics, and the

Mosquito Indians, inhabiting the Mosquito coast in Central America, on matters affecting their several and respective boundaries, or whereby any recommendation or advice is given to either of said Republics or said Indians respecting the territorial rights thereafter to be enjoyed or observed by them respectively, or in any other manner affecting or regulating the relations hereafter to be maintained between said Republics themselves, or either of them, and the said Indians concerning their territorial boundaries or other matters thereto appertaining; and if there be any such convention or compact, then that the President be requested to communicate the same, or a copy thereof, to the Senate, and to inform the Senate whether the same was made at the request or invitation of either of said Republics or of said Indians, or with their privity, approbation, or consent; and that the President be further requested to communicate to the Senate copies of all correspondence between the Executive and Great Britain or with either of said Republics of Central America touching said conventions, and of all documents connected therewith; and if such convention or compact has been made, that the President be further requested to inform the Senate whether the same has been formally communicated to the respective Governments of Nicaragua and Costa Rica and the Mosquito Indians on the part of the Government of Great Britain and the United States, and in what form such communications have been made to them; and that he lay before the Senate copies of any instructions that have been given to the representatives or agents of the United States and Nicaragua and Costa Rica touching such convention and the matters therein contained, with copies of like instructions to any naval officer of the United States relating to or in any manner concerning the said convention or its communication to said Republics or said Indians.

MONDAY, JUNE 28, 1852.

The following messages were received from the President of the United States, by Mr. Fillmore, his secretary:

To the Senate of the United States:

I nominate Hume F. Hill to be surveyor and inspector of the revenue for the port of Memphis, in the State of Tennessee, in the place of James T. Bourne, who has not qualified.

MILLARD FILLMORE.

EXECUTIVE MANSION, *Washington, June 23, 1852.*

To the Senate of the United States:

I nominate J. W. A. Nicholson, now a master in the line of promotion, to be a lieutenant in the Navy, from the 24th of April, 1852, to fill a vacancy occasioned by the resignation of Lieutenant Edmund T. Shubrick.

Thomas G. Corbin, now a master in the line of promotion, to be a lieutenant in the Navy, from the 10th of June, 1852, to fill a vacancy occasioned by the resignation of Lieutenant William B. Muse.

William B. Sinclair, now a passed assistant surgeon, to be a surgeon in the Navy, from the 21st of June, 1852, to fill a vacancy occasioned by the death of Surgeon John S. Wily.

William L. Nichol, of Tennessee, to be an assistant surgeon in the Navy, to fill the vacancy occasioned by the promotion of Passed Assistant Surgeon William B. Sinclair.

MILLARD FILLMORE.

WASHINGTON, *June 24, 1852.*

To the Senate of the United States:

I transmit and commend to the consideration of the Senate a report from the Secretary of State, touching the convention between the United States and the Mexican Republic for the mutual extradition of fugitives from justice in certain cases, which convention I submitted to the Senate soon after I entered upon the office of President of the United States.

MILLARD FILLMORE.

WASHINGTON, *June 26, 1852.*

DEPARTMENT OF STATE, *Washington, 26th June, 1852.*

To the President of the United States :

It was understood that at the close of the administration of your predecessor an extradition treaty was concluded in this city between the United States and the Mexican Republic, which, however, was submitted to the Senate by yourself, but before I entered upon my present office.

It is presumed that, as the treaty has not been returned to this Department, the Senate has made no decision in regard to it.

The necessity for a compact upon that subject between the two Governments, whose territories, being conterminous, afford great facilities for wrong-doers in the one to screen themselves from punishment by seeking refuge in the other, would at all times be obvious, but at the present juncture may be considered as urgent.

I would consequently suggest that the attention of the Senate be respectfully invited to the matter, in order that if the treaty before them should be deemed objectionable, another, embodying such amendments as may be supposed to be necessary, may be proposed to the Mexican Government.

Respectfully submitted.

DAN'L WEBSTER.

To the Senate of the United States :

I have received and taken into respectful consideration the resolution of the Senate of yesterday, adopted in executive session, requesting information in regard to supposed negotiations between the United States and Great Britain, and between the United States and the Republics of Nicaragua and Costa Rica, respectively. Any information which may be in the possession of the Executive on these subjects shall in due time be laid before the Senate; but it is apprehended that it would not comport with the public interests to communicate it under existing circumstances.

MILLARD FILLMORE.

WASHINGTON, *June 26, 1852.*

To the Senate of the United States :

I have received the resolution of the Senate of the 11th instant, passed in executive session, making inquiry respecting supposed propositions of the King of the Sandwich Islands to convey the sovereignty of those islands to the United States, and requesting all official information in my possession touching the subject.

This request has been taken into the most respectful consideration, but the conclusion at which I have arrived is that the public interest would not be promoted, but, on the contrary, might, under circumstances of possible occurrence, be seriously endangered if it were now to be complied with.

MILLARD FILLMORE.

WASHINGTON, *26th June, 1852.*

The messages were read.

Ordered, That the nominations of officers of the Navy be referred to the Committee on Naval Affairs.

Ordered, That the nomination of Hume F. Hill be referred to the Committee on Commerce.

Ordered, That the message communicating a report from the Secretary of State relating to the convention with the Mexican Republic be referred to the Committee on Foreign Relations.

Ordered, That the message declining to furnish the information requested by the resolution of the 25th instant in relation to supposed negotiations between the United States and Great Britain and the Republics of Nicaragua and Costa Rica be referred to the Committee on Foreign Relations.

Ordered, That the message declining to furnish the information requested by the Senate of the 11th instant in relation to the sovereignty of the Sandwich Islands lie on the table, and be printed in confidence for the use of the Senate.

Mr. Douglas, from the Committee on Territories, to whom was referred, the 19th instant, the nomination of John Greiner, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Gwin, from the Committee on Naval Affairs, to whom were referred, the 20th December last, the nominations of Charles H. Ladd, Charles F. Fahs, Jenks H. Otis, Frederick Horner, jun'r, James B. Whiting, Randolph Harrison, and John C. Hunter, and on the 19th April last those of George Maulsby, William Grier, Albert Schriver, and Thomas Le Page Cronmiller, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Gwin, from the Committee on Naval Affairs, to whom were referred, the 23d December last, the nominations of Joshua Follansbee and Benjamin F. Isherwood, and on the 19th April last that of George Sewall, reported.

On motion by Mr. Shields,

Ordered, That the Committee on Military Affairs be discharged from the further consideration of the memorial of James W. Schaumburg, and that it lie on the table.

Mr. Atchison, from the Committee on Indian Affairs, to whom were referred, the 7th instant, the eighteen following treaties made with Indians in California, reported them severally without amendment, viz:

Treaty with the Taches, Cah-wai, and others on the 13th May, 1851.

Treaty with the Ko-ya-te, Wo-la si, and others on the 13th May, 1851.

Treaty with the Chu-nute, Wo-wol, and others on the 3d June, 1851.

Treaty with the Castake, Texon, and others on the 10th June, 1851.

Treaty with the Iou ol-umnes, We chillas, and others on the 28th May, 1851.

Treaty with the Das-pia, Ya ma-de, and others on the 18th July, 1851.

Treaty with the Mi-chop-da, Eskuin, and others on the 1 August, 1851.

Treaty with the Noe-ma and others on the 16th August, 1851.

Treaty with the Colus, Willeys, Co-ha-no, and others on the 9 September, 1851.

Treaty with the Cu-lu, Yas-si, and others on the 18th September, 1851.

Treaty with the San Luis Rey, Kah-we-as, and others on the 5 January, 1852.

Treaty with the Dieguinos tribes on the 7 January, 1852.

Treaty with the Si-yan-te, Poto-yun-te, and others on the 19th March, 1851.

Treaty with the How-ech-ees, Chook-chanees, and others, on the 29th April, 1851.

Treaty with the Ca-la-na-po, Ha-bi-na-po, and others, on the 20th August, 1851.

Treaty with the Sai-nell, Yu-ki-as, and others, on the 22d August, 1851.

Treaty with the Poh-lik, or Lower Klamath, and others, on the 6th October, 1851.

Treaty with the Upper Klamath, Shasta, and others, on the 4th November, 1851.

On motion by Mr. Shields,

The Senate proceeded to consider the nominations of the following-named persons, to wit:

Thomas F. Hunt, Daniel D. Tompkins, Charles M. Hitchcock, Oscar F. Winship, Reuben P. Campbell, William Steele, Thomas J. Wood, James Oakes, William D. Smith, Arthur D. Tree, Samuel H. Starr, Charles W. Field, Lucius M. Walker, John P. Holiday, Thomas Bingham, Andrew J. Lindsay, John G. Walker, George W. Hawkins, John P. Hatch, George W. Howland, Eugene A. Carr, Henry D. Grafton, Ambrose P. Hill, James P. Flewellen, Caleb Huse, John McL. Taylor, Lloyd Beall, John A. Mebane, Armistead L. Long, Horatio G. Gibson, Ambrose E. Burnside, Richard Arnold, Charles S. Winder, Alexander Piper, Henry Bainbridge, Stephen D. Carpenter, Charles N. Underwood, Samuel H. Reynolds, Nathan A. Hitchcock, Nathaniel Lyon, Tredwell Moore, Thomas W. Sweeney, Austin N. Colcord, Joseph T. Haile, William H. Morris, Dixon S. Miles, William T. H. Brooks, William H. Wood, John D. Wilkins, Martin P. Parks, William D. Whipple, Junius Daniel, Gabriel J. Raines, Gustavus Loomis, Carlos A. Waite, William Hoffman, Edward F. Abbott, Henry C. Bankhead, Francis Lee, Edward Johnson, George W. Lay, Charles T. Baker, William P. Carlin, Alden Sargent, James L. Corley, Elisha G. Marshall, Henry Wilson, Joseph R. Smith, Robert S. Garnett, Lafayette McLaws, Edmund K. Smith, Matthew R. Stevenson, William H. Tyler, Cadmus M. Wilcox, William L. Cabell, Gurden Chapin, Thomas J. C. Amory, Edward A. Palfrey, Edmund B. Alexander, Charles D. Jordan, Edward D. Blake, James McIntosh, William H. Tingley, John J. Milban, Aquilla F. Ridgely, George L. Andrews, James St. C. Morton, George T. Balch, William T. Welcker, Isaiah N. Moore, Robert Williams, John Mendenhall, Ben Hardin Helm, David Bell, Charles E. Norris, Hyatt C. Ransom, Alexander McRae, Roger Jones, jun'r, Joseph G. Tilford, Lawrence S. Baker, Caleb Huse, Alvan C. Gillem, Henry E. Maynadier, James Thompson, Edward H. Day, Alexander J. Perry, Alexander Piper, John Edwards, jun'r, Kenner Garrard, Albert J. S. Molinard, James B. Greene, William H. Morris, James Curtis, jun'r, Adolphus F. Bond, Martin P. Parks, jun'r, William D. Whipple, Junius Daniel, Henry C. Hodges, Henry F. Witter, John C. Kelton, Robert E. Patterson, John T. Shaaff, Gurdin Chapin, Thomas J. C. Amory, Edward A. Palfrey, Melancthon Smith, Alvan C. Gillem, Simon B. Buckner, John C. Kelton, and Archibald Taylor; and

Resolved, That the Senate advise and consent to the promotion and appointment of the said persons in the Army of the United States, agreeably to their nominations respectively.

The Senate proceeded to consider the nomination of William W. Russell; and

After debate,

On motion by Mr. Upham,

The Senate adjourned.

FRIDAY, JULY 2, 1852.

The following message was received from the President of the United States, by Mr. Fillmore, his secretary :

[Confidential.]

To the Senate of the United States :

On the 26th ultimo I received a resolution of the Senate, passed in executive session, in the following words :

“*Resolved*, That the President of the United States be requested to inform the Senate (if not in his opinion incompatible with the public interest) whether any convention or compact has been entered into on the part of the United States and the Government of Great Britain whereby the two Governments jointly recommend or advise the Republics of Costa Rica and Nicaragua, or either of those Republics, and the Mosquito Indians, inhabiting the Mosquito Coast, in Central America, on matters affecting their several and respective boundaries, or whereby any recommendation or advice is given to either of said Republics or said Indians respecting the territorial rights thereafter to be enjoyed or observed by them respectively, or in any other manner affecting or regulating the relations hereafter to be maintained between said Republics themselves, or either of them, and the said Indians, concerning their territorial boundaries, or other matters thereto appertaining.

“And if there be any such convention or compact, then that the President be requested to communicate the same, or a copy thereof, to the Senate, and to inform the Senate whether the same was made at the request or invitation of either of said Republics or of said Indians, or with their privity, approbation, or consent.

“And that the President be further requested to communicate to the Senate copies of all correspondence between the Executive and Great Britain, or with either of said Republics of Central America, touching said convention, and of all the documents connected therewith.

“And if such convention or compact has been made, that the President be further requested to inform the Senate whether the same has been formally communicated to the respective Governments of Nicaragua and Costa Rica and the Mosquito Indians, on the part of the Governments of Great Britain and the United States, and in what form such communications have been made to them, and that he lay before the Senate copies of any instructions that have been given to the representatives or agents of the United States at Nicaragua and Costa Rica touching such convention and the matters therein contained, with copies of like instructions to any naval officer of the United States relating to or in any manner concerning the said convention or its communication to said Republics or said Indians.”

On the same day I returned the following answer to that resolution :

“I have received and taken into respectful consideration the resolution of the Senate of yesterday, adopted in executive session, requesting information in regard to supposed negotiations between the United States and Great Britain, and between the United States and the Re-

publics of Nicaragua and Costa Rica, respectively. Any information which may be in the possession of the Executive on these subjects shall in due time be laid before the Senate, but it is apprehended that it would not comport with the public interests to communicate it under existing circumstances."

Great was my surprise to observe this morning in one of the public journals a statement of what purports to be a proposition, jointly signed by Her Britannic Majesty's minister here and the Secretary of State, for the adjustment of certain claims to territory between Nicaragua, Costa Rica, and the Mosquito Indians. I have caused immediate inquiry to be made into the origin of this highly improper publication, and shall omit no proper or legal means for bringing it to light. Whether it shall turn out to have been caused by unfaithfulness or breach of duty in any officer of this Government, high or low, or by a violation of diplomatic confidence, the appropriate remedy will be immediately applied, as being due not only to this Government but to other Governments. And I hold this communication to be especially proper to be made immediately by me to the Senate, after what has transpired on this subject, that the Senate may be perfectly assured that no information asked by it has been withheld and at the same time permitted to be published to the world.

This publication cannot be considered otherwise than as a breach of official duty by some officer of the Government, or a gross violation of the confidence necessary always to be reposed in the representatives of other nations. An occurrence of this kind cannot but weaken the faith so desirable to be preserved between different Governments and to injure the negotiations now pending, and it merits the severest reprobation.

MILLARD FILLMORE.

WASHINGTON CITY, *July 1st*, 1852.

The message was read.

On motion by Mr. Mason,

Ordered, That it be referred to the Committee on Foreign Relations.

On motion by Mr. Mason,

Ordered, That the convention between the United States of America and the Mexican Republic for the mutual surrender of fugitive criminals, concluded at Washington the 20th day of July, in the year of our Lord 1850, which was received and read the first and second times on the 23d July, 1850, and ordered to lie on the table the 7th March, 1851, be again taken from the files and referred to the Committee on Foreign Relations.

On motion by Mr. Atchison to remove the injunction of secrecy from the proceedings of the Senate on the treaties with the several bands of the Dakota or Sioux Indians, lately ratified with amendments,

It was determined in the negative.

THURSDAY, JULY 8, 1852.

The following messages were received from the President of the United States, by Mr. Fillmore, his secretary :

To the Senate of the United States :

I nominate the graduates of the Military Academy named in the accompanying list for appointment in the Army of the United States, as proposed by the Secretary of War.

MILLARD FILLMORE.

WASHINGTON, *June 29*, 1852.

WAR DEPARTMENT, *June 29, 1852.*

SIR: I have the honor respectfully to propose for your approbation the annual list of graduates of the Military Academy for appointment in the Army of the United States, in conformity with the fourth section of the act approved April 29, 1812, entitled "An act making further provision for the Corps of Engineers."

I have the honor to be, sir, your obed't servant,

C. M. CONRAD,
Secretary of War.

To the PRESIDENT OF THE UNITED STATES.

WAR DEPARTMENT, *June 29, 1852.*

List of graduates of the Military Academy recommended for appointment in the Army of the United States, in conformity with the fourth section of the act making further provision for the Corps of Engineers, approved April 29, 1812:

Corps of Engineers.

Cadet Thomas L. Casey to be brevet second lieutenant, July 1, 1852.

Cadet Newton F. Alexander to be brevet second lieutenant, July 1, 1852.

Corps of Topographical Engineers.

Cadet George H. Mendell to be brevet second lieutenant, July 1, 1852.

Cadet George W. Rose to be brevet second lieutenant, July 1, 1852.

Ordnance Department.

Cadet Joseph C. Ives to be brevet second lieutenant, July 1, 1852.

Cadet John W. Todd to be brevet second lieutenant, July 1, 1852.

Second Regiment of Dragoons.

Cadet David S. Stanley to be brevet second lieutenant, July 1, 1852.

Regiment of Mounted Riflemen.

Cadet Jerome N. Bonaparte, jr., to be brevet second lieutenant, July 1, 1852.

Cadet George B. Cosby to be brevet second lieutenant, July 1, 1852.

First Regiment of Artillery.

Cadet Henry W. Slocum to be second lieutenant, July 1, 1852, vice Everett, resigned.

Cadet Henry de Neuve to be brevet second lieutenant, July 1, 1852.

Cadet James W. Robinson to be brevet second lieutenant, July 1, 1852.

Cadet John Mullan, jr., to be brevet second lieutenant, July 1, 1852.

Second Regiment of Artillery.

Cadet Robert B. Thomas to be brevet second lieutenant, July 1, 1852.

Third Regiment of Artillery.

Cadet James Van Noast to be brevet second lieutenant, July 1, 1852.
Cadet Milo S. Hascall to be brevet second lieutenant, July 1, 1852.
Cadet Sylvester Moury to be brevet second lieutenant, July 1, 1852.

Fourth Regiment of Artillery.

Cadet George L. Hartsuff to be brevet second lieutenant, July 1, 1852.

First Regiment of Infantry.

Cadet Charles R. Woods to be brevet second lieutenant, July 1, 1852.
Cadet Peter T. Swaine to be brevet second lieutenant, July 1, 1852.
Cadet George A. Williams to be brevet second lieutenant, July 1, 1852.
Cadet Edwin D. Phillips to be brevet second lieutenant, July 1, 1852.

Second Regiment of Infantry.

Cadet Marshall T. Polk to be brevet second lieutenant, July 1, 1852.
Cadet John D. O'Connell to be brevet second lieutenant, July 1, 1852.
Cadet John Nugen to be brevet second lieutenant, July 1, 1852.
Cadet Lyman M. Kellogg to be brevet second lieutenant, July 1, 1852.

Third Regiment of Infantry.

Cadet Matthew L. Davis, jr., to be brevet second lieutenant, July 1, 1852.
Cadet Charles H. Rundell to be brevet second lieutenant, July 1, 1852.
Cadet Alexander McD. McCook to be brevet second lieutenant, July 1, 1852.
Cadet Richard V. Bonneau to be brevet second lieutenant, July 1, 1852.

Fourth Regiment of Infantry.

Cadet August V. Kantz to be brevet second lieutenant, July 1, 1852.
Cadet George W. Crook to be brevet second lieutenant, July 1, 1852.

Fifth Regiment of Infantry.

Cadet William Myers to be brevet second lieutenant, July 1, 1852.
Cadet Hezekiah H. Garber to be brevet second lieutenant, July 1, 1852.

Sixth Regiment of Infantry.

Cadet Hugh B. Fleming to be brevet second lieutenant, July 1, 1852.
Cadet John P. Hawkins to be brevet second lieutenant, July 1, 1852.

Seventh Regiment of Infantry.

Cadet John H. Forney to be brevet second lieutenant, July 1, 1852.
Cadet Andrew W. Evans to be brevet second lieutenant, July 1, 1852.
Cadet Henry Douglass to be brevet second lieutenant, July 1, 1852.
Cadet Lawrence A. Williams to be brevet second lieutenant, July 1, 1852.

Eighth Regiment of Infantry.

Cadet Philip Stockton to be brevet second lieutenant, July 1, 1852.
Cadet Arthur P. Bagby, jr., to be brevet second lieutenant, July 1, 1852.

C. M. CONRAD,
Secretary of War.

To the Senate of the United States :

The compensation of the postmasters at the offices hereinafter named having exceeded one thousand dollars for the last fiscal year, I hereby nominate—

William G. Clarkson to be deputy postmaster at Nevada, Nevada County, in the State of California ;

H. I. Richmond to be deputy postmaster at Benicia, Solano County, in the State aforesaid ;

James Cushing to be deputy postmaster at Marysville, Yuba County, in the same State ;

Robert D. Foster to be deputy postmaster at Placerville, El Dorado County, in the same State ;

Stephen S. Brooks to be deputy postmaster at Culloma, in the same county and State ; and

John R. Wilson to be deputy postmaster at San José, Santa Clara County, in the State aforesaid.

MILLARD FILLMORE.

EXECUTIVE CHAMBER, *June 29, 1852.*

To the Senate of the United States :

I hereby nominate Philip J. Cohen to be deputy postmaster at Norfolk, in the county of Norfolk, in the State of Virginia, in the place of Alexander Galt, whose commission will expire on the 8th day of July next.

MILLARD FILLMORE.

EXECUTIVE CHAMBER, *June 30, 1852.*

To the Senate of the United States :

I nominate Benjamin F. Gallaher, of Virginia, to be a purser in the Navy, to fill the vacancy occasioned by the death of Purser Cameron Anderson.

MILLARD FILLMORE.

WASHINGTON, *July 2, 1852.*

To the Senate of the United States :

For the reason assigned in the accompanying communication of the Secretary of War, I desire the consent of the Senate to the correction of the clerical error in the name of Lieutenant Holliday of the Second Regiment of Dragoons, as therein proposed.

MILLARD FILLMORE.

WASHINGTON, *July 2, 1852.*

WAR DEPARTMENT, *July 2, 1852.*

The name of Lieutenant Holliday, of the 2d Dragoons, having been incorrectly written in the list of nominations for regular promotions in the Army dated December 19, 1851, and confirmed by the Senate the 28th ultimo, I have the honor to propose a correction of the clerical er-

ror by the substitution of the name of Jonas P. Holliday instead of "John P. Holiday."

I am, sir, with great respect, your ob't ser't,

C. M. CONRAD.

To the PRESIDENT OF THE UNITED STATES.

ADJUTANT GENERAL'S OFFICE,
Washington July 2, 1852.

SIR: In the list of nominations for regular promotion made to the Senate the 19th of December last the name of Lieutenant Holliday, of the Second Dragoons, was given as John P. Holiday (in which way, owing to a clerical error, it had been borne on the rolls since his graduation), and his nomination was so confirmed by the Senate the 28th ultimo. By a letter, however, recently received from him, it appears his true name is Jonas P. Holliday; and it is therefore respectfully suggested, that the Senate be requested to make this change in their confirmation of his nomination.

I have the honor to be, very respectfully, your ob't ser't,

L. THOMAS,
Ass't Adj't Gen'l.

Hon. C. M. CONRAD, *Secretary of War.*

To the Senate of the United States:

I hereby nominate C. W. C. Dunnington to be a justice of the peace in the county of Washington, in the District of Columbia.

MILLARD FILLMORE.

WASHINGTON, 2d July, 1852.

To the Senate of the United States:

I nominate John P. Abbot, of Rhode Island, to be a purser in the Navy from and after the 30th of September next, to fill a vacancy occasioned by the resignation of Purser Fras. G. McCauley.

MILLARD FILLMORE.

WASHINGTON, July 6, 1852.

To the Senate of the United States:

I herewith transmit, for the advice and consent of the Senate, a treaty recently negotiated with the Chickasaw Nation of Indians.

The nature and objects of the treaty are fully explained by the report of Mr. Harper, who negotiated it in behalf of the United States.

MILLARD FILLMORE.

WASHINGTON CITY, July 2d, 1852.

The messages were read.

Ordered, That the nominations of Thomas L. Casey and others graduates of the Military Academy for Appointment in the Army be referred to the Committee on Military Affairs.

Ordered, That the nominations of deputy postmasters be referred to the Committee on the Post-Office and Post-Roads.

Ordered, That the nominations of Benjamin F. Gallaher and John P. Abbot be referred to the Committee on Naval Affairs.

The Senate proceeded to consider the message of the President in relation to the error in the name of Lieutenant Holliday.

Whereupon

Mr. Shields submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Senate advise and consent to the promotion of Brevet Second Lieutenant Jonas P. Holliday to be second lieutenant in the Second Regiment of United States Dragoons, October 11th, 1851, vice Tree, promoted, the same person having been heretofore erroneously nominated and confirmed by the name of "John P. Holiday."

On motion by Mr. Gwin,

The Senate, by unanimous consent, proceeded to consider the nomination of C. W. C. Dunnington; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

The articles of a treaty concluded at Washington on the 22d day of June, 1852, between Kenton Harper, commissioner on the part of the United States and Colonel Edmund Pickens, Benjamin S. Love, and Sampson Folsom, commissioners duly appointed for that purpose by the Chickasaw tribe of Indians, were read the first time.

On motion by Mr. Atchison,

Ordered, That the treaty, together with the message and documents, be referred to the Committee on Indian Affairs and printed in confidence for the use of the Senate.

Mr. Rusk, from the Committee on the Post-Office and Post-Roads, to whom were referred, the 20th December last, the nominations of James A. Nisbet and Bryan M. Morel, and on the 4th February those of John Crawford and John S. Walker, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Rusk, from the Committee on the Post-Office and Post-Roads, to whom were referred, the 28th January, the nominations of Benjamin M. Flint, Lawson H. Greene, John H. Demo, Goldsmith F. Bailey, Caleb Hersey, David S. Law, Levi M. Scott, Ebenezer F. Miller, Ninian W. Letton, Daniel Lewis, and David S. Walbridge, and on the 4th February those of James E. Franklin, William L. Gibson, Joseph Baldrige, John A. Gustin, and James B. Wood, reported.

Mr. Hamlin, from the Committee on Commerce, to whom was referred, the 28th June, the nomination of Hume F. Hill, reported.

The eighteen treaties with Indian tribes in California received on the 7th and reported without amendment the 28th June, were severally read the second time, and considered as in Committee of the Whole; and no amendment being made thereto, they were severally reported to the Senate.

On the question being stated on each treaty, to wit, Will the Senate advise and consent to the ratification of this treaty?

It was unanimously determined in the negative by the following vote on each treaty:

Those who voted in the negative are,

Messrs. Adams, Atchison, Bayard, Borland, Bradbury, Brodhead, Brooke, Charlton, Clarke, Cooper, Dawson, De Saussure, Dodge of Wisconsin, Dodge of Iowa, Douglas, Felch, Foot, Geyer, Gwin, Hamlin, Hunter, Jones of Iowa, Mallory, Mangum, Miller, Norris, Pratt, Rusk, Shields, Smith, Soulé, Spruance, Sumner, Toucey, Upham, Wade, Walker.

So it was respectively determined as follows, to wit:

Resolved, That the Senate do not advise and consent to the ratification of the treaty of peace and friendship made and entered into at

Camp Belt, on King's River, in the State of California, on the thirteenth day of May, eighteen hundred and fifty-one, between George W. Barbour, one of the commissioners appointed by the President of the United States to make treaties with the various Indian tribes in the State of California, and having full authority to do so, of the first part, and the chiefs, captains, and head men of the following tribes of Indians, to wit, the Ta-ches, Cah-wai, Yo-kol, Ta-lum-ne, Wic-chum-ne, Hol-cu-ma, To-e-neche, Tu-hue-masch, In-tim-peach, Choi-nuck, We-mil-ches, and Mo-ton-toes, of the second part.

Resolved, That the Senate do not advise and consent to the ratification of the treaty of peace and friendship made and entered into at Camp Keyes, on the Cahwai River, in the State of California, on the thirtieth day of May, eighteen hundred and fifty-one, between George W. Barbour, one of the commissioners appointed by the President of the United States to make treaties with the various Indian tribes in the State of California, and having full authority to do so, of the first part, and the chiefs, captains and head men of the following tribes of Indians, to wit, Ko-ya-te, Wo-la-si, Nu-chow-we, Wack-sa-che, Pal-wisha, Po-ken-welle, and Ya-wil-chine, of the second part.

Resolved, That the Senate do not advise and consent to the ratification of the treaty of peace and friendship formed and concluded at Camp Burton, on Paint Creek, in the State of California, on the third day of June, eighteen hundred and fifty-one, between George W. Barbour, one of the commissioners appointed by the President of the United States to make treaties with the various Indian tribes in the State of California, and having full authority to act, of the first part, and the chiefs, captains and head men of the following tribes of Indians, to wit, Chu nute, Wo-wol, Yo-lum-ne, Co-ye-tie, of the second part.

Resolved, That the Senate do not advise and consent to the ratification of the treaty of peace and friendship made and entered into at Camp Persifer F. Smith, at the Texon Pass, in the State of California, on the tenth day of June, eighteen hundred and fifty-one, between George W. Barbour, one of the commissioners appointed by the President of the United States to make treaties with the various Indian tribes in the State of California, and having full authority to act, of the first part, and the chiefs, captains and head men of the following tribes of Indians, to wit, Cas-take, Texon, San-Imirio, Uvas, Carises, Buena Vista, Sena-hu-ow, Holo-cla-me, Soho-nuts, To-cia-a, and Hol-mi-uh, of the second part.

Resolved, That the Senate do not advise and consent to the ratification of the treaty of peace and friendship made and concluded at Dent and Vantine's Crossings, on the Stanislaus River, California, between the commissioner plenipotentiary of the United States of America, of the one part, and the chiefs, captains and head men of the Iou-ol-umne, We-chilla, Su-caah, Co-to-planemis, Chap-pah-sims and Sage-room-nes, tribes of the other part.

Resolved, That the Senate do not advise and consent to the ratification of the treaty of peace and friendship made and concluded at Camp Union, near the Yaba River, between the United States Indian agent, O. M. Wozencraft, of the one part, and the chiefs, captains and head men of the following tribes, viz, Daspia, Ya-ma-do, Yol-la-mer, Wai-de pa can, On-o-po-ma, Mon-e-da, Wau-muck, Nem-shaw, Bem-pi, Ya-cum-na, of the other part.

Resolved, That the Senate do not advise and consent to the ratification of the treaty of peace and friendship made and concluded near Bedwell's Ranch, on Chico Creek, between the United States Indian

agent, O. M. Wozencraft, of the one part, and the chiefs, captains and head men of the following tribes, viz, Mi-chop-da, Es-kuin, Ho-lo lu-pi, To-to, Su-mus, Che-no, Bat-si, Yut-duc, Sim-sa-wa, of the other part.

Resolved, That the Senate do not advise and consent to the ratification of the treaty of peace and friendship made and concluded at Reading's Ranch, on Cottonwood Creek, California, between the United States Indian agent, O. M. Wozencraft, of the one part, and the chiefs, captains and head men of the following tribes or bands, viz, Noi-ma, Noe-ma, Y-lac-ca, No-me, Noi-ma, of the other part.

Resolved, That the Senate do not advise and consent to the ratification of the treaty of peace and friendship made and concluded at Camp Colus, on the Sacramento River, California, between the United States Indian agent, O. M. Wozencraft, of the one part, and the chiefs, captains, and head men of the following tribes or bands, viz, Colus, Wil-lays, Co-ha-na, Tat-nah, Cha-doc-duc, Cham-net-co, Toc-de, of the other part.

Resolved, That the Senate do not advise and consent to the ratification of the treaty of peace and friendship made and concluded at the fork of Cosumnes River, between the United States Indian agent, O. M. Wozencraft, of the one part, and the chiefs, captains, and head men of the following tribes, viz, Cu-lus, Yas-si, Loc-lum-ne, and Wo-pum-nes, of the other part.

Resolved, That the Senate do not advise and consent to the ratification of the treaty of peace and friendship made and concluded at the village of Temecula, California, between the United States Indian agent, O. M. Wozencraft, of the one part, and the captains and head men, of the following nations, viz, The nation of San Louis Rey Indians, the Kah-we-as, and the tribe of Co-com-cah-ras, of the other part.

Resolved, That the Senate do not advise and consent to the ratification of the treaty of peace and friendship made and concluded at the village of Santa Ysabel, California, between the United States Indian agent, O. M. Wozencraft, of the one part, and the captains and head men of the nation of Dieguino Indians, of the other part.

Resolved, That the Senate do not advise and consent to the ratification of the treaty made and concluded on the nineteenth day of March, in the year eighteen hundred and fifty-one, at Camp Fremont, near the Little Mariposa River, in the State of California, between Redick McKee, George W. Barbour, and Oliver M. Wozencraft, commissioners appointed by the President of the United States to treat with the various tribes of Indians in the State of California, of the one part, and the chiefs, captains, and head men of the Si-yan-te, Pó-to-yan te, Co-co-noon, Apang-as-se, Aplache, and A-wal-a-che, tribes of Indians, of the other part.

Resolved, That the Senate do not advise and consent to the ratification of the treaty of peace and friendship made and concluded at Camp Barbour, on the San Joaquin River, California, between Redick McKee, George W. Barbour, and O. M. Wozencraft, commissioners thereto specially appointed, on the part of the United States, and the undersigned chiefs, captains, and head men of the tribes or bands of Indians now in council at this camp, known as the How-ech-ees, Chook-chanees, Chow-chil-lies, Po-ho nee-chees, and Nook-choos, which five tribes or bands acknowledge Nai-yah-qua as their principal chief; also the Pit-cat-chees, Cas-sous, Toom-nas, Tallin-chees, and Pos-kesas, which five tribes or bands acknowledge Tom-quit as their principal chief; also the Wa-cha-ets, Itachees, Cho-e-nem-nees, Cho-ki-men-as, We-mal-ches, and

Nó-to-no-tos, which six tribes or bands acknowledge Pas qual as their principal chief, of the other part.

Resolved, That the Senate do not advise and consent to the ratification of the treaty of peace and friendship made and concluded at Camp Lu-pi-yu-ma, on the south side of Clear Lake, between Redick McKee, one of the Indian agents specially appointed to make treaties with the various Indian tribes in California, on the part of the United States, and the undersigned chiefs, captains, and head men of the tribes or bands of Indians now in council at this camp, known as the Ca-la-na-po tribe, represented by the Julio and captains; Na-bi-no-po tribe, represented by the chief, Pri-e-to, and his captains; Da-do-ha-bo tribe, represented by the chief, Ku-kee; Mo-al-kai tribe, represented by the chief, Moh-shaw, and his captains; Che-com tribe, represented by the chief, Cal-i-a-him and his captains; How-ku-ma tribe, represented by the chief, Chi-bec, and his captains; Cha-nel-kai tribe, represented by the chief, Cou-chu, and the Mo-dam-a-dec tribe, represented by the chief, Co-e-u-re, of the other part.

Resolved, That the Senate do not advise and consent to the ratification of the treaty of peace and friendship made and concluded at Camp Fernando Felix, on Russian River, California, between Redick McKee, one of the Indian agents specially appointed to make treaties with the various Indian tribes in California, on the part of the United States, and the undersigned chiefs, captains, and head men of the tribes or bands of Indians now in council at this camp, known as the Sai-nell tribe, represented by the chief Chas-kan and captains; Ya-ki-as tribe, represented by the chief Ko-yo-to-was-sa and captains; Mas-su-ta-ka-ya tribe, represented by the chief Cal-pel-la captains; Po-mo tribe, represented by the chief Chi-bem, of the other part.

Resolved, That the Senate do not advise and consent to the ratification of the treaty of peace and friendship made and concluded at Camp Klamath, at the junction of the Klamath and Trinity Rivers, between Redick McKee, one of the Indian agents specially appointed to make treaties with the various Indian tribes in California, on the part of the United States, and the chiefs, captains, and head men of the tribes or bands of Indians now in council at this camp, representing the Poh-lik, or Lower Klamath, the Peh-tsick or Upper Klamath, and the Hoo-pah or Trinity River Indians; containing also stipulations preliminary to future measures to be recommended for adoption on the part of the United States.

Resolved, That the Senate do not advise and consent to the ratification of the treaty of peace and friendship made and concluded at camp in Scott's Valley, Shasta County, California, between Redick McKee, one of the Indian agents specially appointed to make treaties with the various Indian tribes in California, on the part of the United States, and the undersigned chiefs, captains, and head men now in council at this camp, representing the Upper Klamath, Shasta, and Scott's River Indians, residing severally in twenty-four, nineteen, and seven rancherias or villages, and known as the O-de-i-lah tribe or band, I-shak, chief, from the Upper Klamath River; I-ka-ruck tribe or band, Tso-horget-sho, chief; Ko-se-tah tribe or band, Ada-wai-how-ik, chief; I-da-kai-i-waka-ha tribe or band, I-da-kai-i-waka-ha, chief, from Shasta Valley; Wat-sa-he-wa tribe or band, Ar-rats-a-cho-i-ca, chief; E-en tribe or band, An-na-nik-a-hok, chief, from Scott's Valley, on the other part.

Ordered, That the Secretary lay the said resolutions, respectively, before the President of the United States.

WEDNESDAY, JULY 14, 1852.

The following messages were received from the President of the United States, by Mr. Fillmore, his secretary :

To the Senate of the United States :

I nominate Henry M. Howard to be naval officer for the district of Charleston, in the State of South Carolina, from the 17th of the present month, when his commission will expire.

MILLARD FILLMORE.

EXECUTIVE MANSION, *Washington, July 8, 1852.*

To the Senate of the United States :

I nominate Major William Dulany, of the Marine Corps. to be a lieutenant-colonel by brevet in the said Corps, from the 13th of September, 1847, for gallant and meritorious conduct at the storming and capture of the castle of Chapultepec, and the capture of the Belen Gate and the City of Mexico, in place of a similar brevet heretofore conferred on him from the 14th of September, 1847.

MILLARD FILLMORE.

WASHINGTON, *July 13, 1852.*NAVY DEPARTMENT, *July 13, 1852.*

SIR : I have the honor to submit to you a nomination of Major William Dulany, of the marine corps, to be a lieutenant-colonel by brevet, from the 13th of September, 1847, for gallant and meritorious conduct at the storming and capture of the castle of Chapultepec, and the capture of the Belen Gate and the City of Mexico. This brevet is intended to be in place of the one heretofore conferred on this officer which took date from the 14th of September instead of the 13th of September, 1847 ; the latter being the date from which other officers of the Marine Corps were heretofore brevetted for similar meritorious conduct, the storming and capture of the castle of Chapultepec having taken place on the 13th of September, 1847.

I am, very respectfully, your ob't serv't,

WILL. A. GRAHAM.

The PRESIDENT.

To the Senate of the United States :

I hereby nominate Henry W. Tilley to be deputy postmaster at Georgetown, in the District of Columbia, his present commission as such deputy postmaster having expired.

MILLARD FILLMORE.

EXECUTIVE CHAMBER, *July 13, 1852.*

To the Senate of the United States :

The compensation of Jeremiah D. Mann, postmaster at Aberdeen, in the county of Monroe, in the State of Mississippi, having exceeded one thousand dollars for the last fiscal year, I hereby nominate the said Jeremiah D. Mann to be deputy postmaster at the place aforesaid.

MILLARD FILLMORE.

EXECUTIVE CHAMBER, *July 14, 1852.*

To the Senate of the United States :

The compensation of the postmaster at Camden, Kershaw County, in the State of South Carolina, having exceeded one thousand dollars during the last fiscal year, I hereby nominate John N. Gamewell to be deputy postmaster at the place aforesaid, the said Gamewell now being postmaster at that place under an appointment made by the Postmaster-General.

MILLARD FILLMORE.

EXECUTIVE CHAMBER, *Washington, July 14, 1852.*

The messages were read.

Ordered, That the nomination of Henry M. Howard be referred to the Committee on Commerce.

On motion by Mr. Gwin,

The Senate, by unanimous consent, proceeded to consider the nomination of William Dulany; and

Resolved, That the Senate advise and consent to his promotion, agreeably to the nomination.

Ordered, That the nominations of Henry W. Tilley and John N. Gamewell be referred to the Committee on the Post-Office and Post-Roads.

On motion by Mr. Adams,

The Senate, by unanimous consent, proceeded to consider the nomination of Jeremiah D. Mann; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

THURSDAY, JULY 15, 1852.

The following message was received from the President of the United States, by Mr. Fillmore, his secretary :

To the Senate of the United States :

I hereby nominate William Carr Lane to be governor of the Territory of New Mexico, in the place of James S. Calhoun, deceased.

MILLARD FILLMORE.

WASHINGTON, 14th July, 1852.

The message was read.

On motion by Mr. Geyer,

The Senate, by unanimous consent, proceeded to consider the nomination of William Carr Lane; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Gwin, from the Committee on Naval Affairs, to whom were referred, the 8th instant, the nominations of Benjamin F. Gallagher and John P. Abbot, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Rusk, from the Committee on the Post-Office and Post-Roads, to whom was referred, the 14th instant, the nomination of John N. Gamewell, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Hamlin, from the Committee on Commerce, to whom was referred, the 14th instant, the nomination of Henry M. Howard, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

The Senate proceeded to consider the nominations of Nicholas Du Bois, John Meshullam, Alfred Palmer, Nathaniel Jackson, Joshua Folsbee, Benjamin F. Isherwood, George Sewell, Benjamin M. Flint, Lawson H. Greene, John H. Denio, Goldsmith F. Bailey, Caleb Hersey, David S. Law, Levi M. Scott, Ebenezer F. Miller, Vivian W. Latton, Daniel Lewis, David S. Walbridge, James E. Franklin, William L. Gibson, Joseph Baldridge, John A. Gustin, James B. Wood, and Hume F. Hill; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

MONDAY, JULY 19, 1852.

The following messages were received from the President of the United States, by Mr. Fillmore, his secretary:

To the Senate of the United States:

I hereby nominate Alfred Conkling, of New York, to be envoy extraordinary and minister plenipotentiary of the United States of America to the Mexican Republic, in the place of Robert P. Letcher, recalled at his own request.

MILLARD FILLMORE.

WASHINGTON, 19th July, 1852.

To the Senate of the United States:

I hereby nominate Daniel Bryan to be deputy postmaster at Alexandria, in the county of Alexandria and State of Virginia, the present commission of said Daniel Bryan as such deputy postmaster having expired.

MILLARD FILLMORE.

EXECUTIVE CHAMBER, July 19, 1852.

The messages were read.

Ordered, That the nomination of Alfred Conkling be referred to the Committee on Foreign Relations.

Ordered, That the nomination of Daniel Bryan be referred to the Committee on the Post-Office and Post-Roads.

The Senate resumed the consideration of the nomination of William W. Russell; and

After debate,

On the question, Will the Senate advise and consent to the appointment of William W. Russell?

It was determined in the affirmative, { Yeas 30
Nays 15

On motion by Mr. Brodhead,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Adams, Bright, Brooke, Butler, Cass, Clemens, Dawson, Downs, Felch, Foot, Geyer, Gwin, Hale, Hamlin, Houston, Jones of Iowa, King, Mallory, Meriwether, Miller, Pearce, Pratt, Sebastian, Seward, Shields, Smith, Spruance, Sumner, Upham, Wade.

Those who voted in the negative are,
Messrs. Atchison, Bell, Brodhead, Clarke, Cooper, De Saussure,
Dodge of Wisconsin, Dodge of Iowa, Hunter, James, Mason, Rusk,
Toucey, Walker, Weller.

So it was

Resolved, That the Senate advise and consent to the appointment of William W. Russell, agreeably to the nomination.

THURSDAY, JULY 22, 1852.

The following messages were received from the President of the United States, by Mr. Fillmore, his secretary :

To the Senate of the United States :

I hereby nominate Samuel J. Wood to be deputy postmaster at Natchitoches, in the parish of Natchitoches, in the State of Louisiana, in the place of Francis H. Aireaux, declined.

MILLARD FILLMORE,

EXECUTIVE CHAMBER, *July 19, 1852.*

To the Senate of the United States :

I nominate John B. Ashe to be collector of the customs for the district of Texas and inspector of the revenue for the port of Galveston, in the State of Texas, in the place of William R. Smith, removed.

MILLARD FILLMORE.

EXECUTIVE MANSION, *Washington, July 21, 1852.*

To the Senate of the United States :

I hereby nominate Benjamin Patteson, of Alabama, to be marshal of the United States for the northern district of Alabama, in the place of Willis H. Gibson, removed.

MILLARD FILLMORE.

WASHINGTON, *22 July, 1852.*

To the Senate of the United States :

I hereby nominate John P. Kennedy, of Maryland, to be Secretary of the Navy, in the place of William A. Graham, resigned.

MILLARD FILLMORE.

WASHINGTON, *22d July, 1852.*

The messages were read,

Ordered, That the nomination of Samuel J. Wood be referred to the Committee on the Post-Office and Post-Roads.

Ordered, That the nomination of John B. Ashe be referred to the Committee on Commerce.

Ordered, That the nomination of Benjamin Patteson be referred to the Committee on Commerce.

On motion by Mr. Weller,

The Senate, by unanimous consent, proceeded to consider the nomination of John P. Kennedy ; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Fish presented a memorial and sundry documents from W. T. Willard to rebut charges made against him as deputy postmaster at Troy, New York, which were referred to the Committee on the Post-Office and Post-Roads.

On motion by Mr. Gwin,

The Senate proceeded to consider the nomination of William H. Emory to be surveyor to run and mark the boundary between the United States and the Republic of Mexico, under the treaty of Guadalupe Hidaglo; and

After debate,

On motion by Mr. Rusk,

The Senate adjourned.

THURSDAY, JULY 29, 1852.

The following messages were received from the President of the United States, by Mr. Fillmore, his secretary :

To the Senate of the United States :

I nominate the officers named in the accompanying communication for regular promotion in the Adjutant-General's Department of the Army of the United States, as proposed by the Secretary of War.

MILLARD FILLMORE.

WASHINGTON, *July 19, 1852.*

WAR DEPARTMENT, *July 19, 1852.*

SIR: I have the honor to lay before you the annexed list of officers for regular promotion in the Adjutant-General's Department of the Army, to fill vacancies consequent upon the death of the late Adjutant-General Jones; and as the public service requires that the office of Adjutant-General should be filled with the least delay practicable, I respectfully request that the early action of the Senate on these nominations be invited:

PROMOTIONS.

Adjutant-General's Department.

Lieutenant-Colonel Samuel Cooper, senior assistant adjutant-general, to be Adjutant-General with the rank of colonel, July 15, 1852, vice Jones, deceased.

Brevet Major Lorenzo Thomas, assistant adjutant-general (the senior of his grade), to be assistant adjutant-general with the rank of lieutenant-colonel, July 15, 1852, vice Cooper, promoted.

Brevet Captain Edward D. Townsend, assistant adjutant-general with the brevet rank of major, July 15, 1852, vice Thomas, promoted.

I am, sir, with great respect, y'r ob't ser't,

C. M. CONRAD,
Secretary of War.

To the PRESIDENT OF THE UNITED STATES.

To the Senate of the United States :

I hereby nominate Ezekiel Casner to be deputy postmaster at Penn Yan, in the county of Yates and State of New York, in the place of James C. Robinson, whose resignation, to take effect from and after the 30th September next, has been accepted.

MILLARD FILLMORE.

EXECUTIVE CHAMBER, *July 24, 1852.*

To the Senate of the United States :

I hereby nominate Adolphus H. Wappans to be consul of the United States for Ciudad Bolivar, in the Republic of Venezuela, in the place of Frederick A. Beeler, resigned.

MILLARD FILLMORE.

WASHINGTON, 26th July, 1852.

To the Senate of the United States :

I nominate Charles C. Upham, of Vermont, to be a purser in the Navy, to fill a vacancy occasioned by the death of Purser George F. Sawyer.

MILLARD FILLMORE.

WASHINGTON, July 26, 1852.

To the Senate of the United States :

I hereby nominate Humphrey Marshall, of Kentucky, to be commissioner of the United States of America to China.

MILLARD FILLMORE.

WASHINGTON, 26th July, 1852.

To the Senate of the United States :

I nominate Alexander E. Steen, of Missouri (a lieutenant in the late Twelfth Regiment of Infantry during the war with Mexico), to be a second lieutenant in the Third Regiment of Infantry of the Army of the United States, to fill a vacancy occasioned by the death of Second Lieutenant Martin P. Parks, jr., and to take rank from June 30, 1852.

MILLARD FILLMORE.

WASHINGTON, July 27, 1852.

To the Senate of the United States :

I nominate Gustavus V. Fox, now a master in the line of promotion, to be a lieutenant in the Navy from the 9th of July, 1852, to fill a vacancy occasioned by the death of Lieutenant Nathaniel W. Duke.

John Matthews, now a master in the line of promotion, to be a lieutenant in the Navy from the 13th of July, 1852, to fill a vacancy occasioned by the resignation of Lieutenant Samuel J. Shipley.

John C. Coleman, of Virginia, to be an assistant surgeon in the Navy, to fill the vacancy occasioned by the resignation of Assistant Surgeon O. J. Wister.

MILLARD FILLMORE.

WASHINGTON, July 28, 1852.

To the Senate of the United States :

I nominate Richard Butler, of Michigan, to be register of the land office for the district of lands subject to sale at Sault St. Marie, Michigan, in the place of Andrew Backus, removed.

MILLARD FILLMORE.

WASHINGTON, July 28th, 1852.

To the Senate of the United States :

I nominate J. V. Brown, of Michigan, to be receiver of public moneys for the district of lands subject to sale at Sault St. Marie, Michigan, in place of Henry Acker, removed.

MILLARD FILLMORE.

WASHINGTON, July 28th, 1852.

To the Senate of the United States :

In obedience to your resolution adopted in executive session June 11th, 1852, I have the honor herewith to communicate a report from the Secretary of the Interior containing the information called for by that resolution.

MILLARD FILLMORE.

EXECUTIVE CHAMBER,

Washington City, July 26th, 1852.

The messages were read.

Ordered, That the nominations of Samuel Cooper, Lorenzo Thomas, and Edward D. Townsend be referred to the Committee on Military Affairs.

Ordered, That the nomination of Ezekiel Casner be referred to the Committee on the Post-Office and Post-Roads.

Ordered, That the nomination of Adolphus H. Wappans be referred to the Committee on Commerce.

Ordered, That the nominations of Charles C. Upham, Gustavus V. Fox, John Matthews, and John C. Coleman be referred to the Committee on Naval Affairs.

Ordered, That the nomination of Humphrey Marshall be referred to the Committee on Foreign Relations.

Ordered, That the nominations of Richard Butler and J. V. Brown be referred to the Committee on Public Lands.

On motion by Mr. Shields,

The Senate, by unanimous consent, proceeded to consider the nomination of Alexander E. Steen; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Mason,

Ordered, That the message communicating, in compliance with a resolution of the Senate of the 11th June, instructions relative to fixing the initial point in the boundary line between the United States and Mexico, be referred to the Committee on Foreign Relations and printed in confidence for the use of the Senate.

On motion by Mr. Weller that the injunction of secrecy be removed from the resolution of the Senate of the 11th June respecting propositions for the cession of the Sandwich Islands, from the message of the President of the 28th June in answer to said resolution, and from the proceedings of the Senate thereon,

After debate,

On motion by Mr. Atchison,

The Senate adjourned.

FRIDAY, JULY 30, 1852.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred, the 19th instant, the nomination of Alfred Conkling, reported.

Mr. Butler, from the Committee on the Judiciary, to whom was referred, the 22d instant, the nomination of Benjamin Patteson, reported.

Mr. Rusk, from the Committee on the Post-Office and Post-Roads, to whom was referred, the 20th December last, the nomination of William T. Willard, on the 6th April that of Thomas J. Jackson, and on the 8th instant that of Philip Y. Cohen, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Davis, from the Committee on Commerce, to whom was referred, the 22d instant, the nomination of John B. Ashe, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Gwin, from the Committee on Naval Affairs, to whom was referred, the 29th instant, the nomination of Charles C. Upham, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Felch, from the Committee on the Public Lands, to whom were referred, the 29th instant, the nominations of Richard Butler and J. V. Brown, reported.

Whereupon

Resolved, The Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Shields, from the Committee on Military Affairs, to whom were referred, the 8th instant, the nominations of Thomas L. Casey, Newton F. Alexander, George H. Mendall, George W. Rose, Joseph C. Ives, John W. Todd, David S. Stanley, George B. Anderson, Jerome N. Bonapart, jr., George B. Cosby, Henry W. Slocum, Henry De Veuve, James W. Robinson, John Mullen, jr., Robert B. Thomas, James Van Voast, Milo S. Hascall, Sylvester Moury, George L. Hartsuff, Charles R. Woods, Peter T. Swaine, George A. Williams, Edwin D. Phillips, Marshall T. Polk, John D. O'Connell, John Nugen, Lyman M. Kellogg, Matthew L. Davis, jr., Charles H. Rundell, Alexander McD. McCook, Richard V. Bonneau, August V. Kantz, George W. Crook, William Myers, Hezekiah H. Garber, Hugh B. Fleming, John P. Hawkins, John H. Forney, Andrew W. Evans, Henry Douglass, Lawrence A. Williams, Philip Stockton, Arthur P. Bagby, jr., and on the 29th instant those of Samuel Cooper, Lorenzo Thomas, and Edward D. Townsend, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Hamlin, from the Committee on Commerce, to whom was referred, the 29th instant, the nomination of Adolphus H. Wappans, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Shields,

The Senate proceeded to consider the nomination of Henry K. Craig; and,

On motion by Mr. Toucey,

Ordered, That the further consideration of the said nomination be postponed until to-morrow.

TUESDAY, AUGUST 3, 1852.

The following messages were received from the President of the United States, by Mr. Fillmore, his secretary:

To the Senate of the United States:

I nominate First Lieutenant William A. Nichols, of the Second Regiment of Artillery, to be appointed assistant adjutant-general, with the

brevet rank of captain, July 29, 1852, vice Townsend, promoted assistant adjutant-general with the brevet rank of major.

MILLARD FILLMORE.

WASHINGTON, *July 29, 1852.*

To the Senate of the United States:

I nominate the officers named in the accompanying communication for regular promotion in the Army of the United States, as proposed by the Secretary of War.

MILLARD FILLMORE.

WASHINGTON, *August 2, 1852.*

WAR DEPARTMENT, *August 2, 1852.*

SIR: I have the honor to lay before you the annual list of officers for regular promotion in the Army of the United States.

Second Regiment of Dragoons

Brevet Second Lieutenant Ben Hardin Helm to be second lieutenant, March 31, 1852, vice Walker, resigned.

Regiment of Mounted Riflemen.

Second Lieutenant Gordon Granger to be first lieutenant, May 24, 1852, vice Russell, dismissed.

Brevet Second Lieutenant Roger Jones to be second lieutenant, May 24, 1852, vice Granger, promoted.

First Regiment of Artillery.

Second Lieutenant Jefferson C. Davis to be first lieutenant, February 29, 1852, vice Jackson, resigned.

Brevet Second Lieutenant Henry E. Maynadier to be second lieutenant, February 29, 1852, vice Davis, promoted.

Second Regiment of Artillery.

First Lieutenant William B. Blair to be captain, July 1, 1852, vice Swartwout, deceased.

Second Lieutenant Frank H. Larned to be first lieutenant, July 1, 1852, vice Blair, promoted.

Brevet Second Lieutenant James Thompson to be second lieutenant, July 1, 1852, vice Larned, promoted.

Third Regiment of Artillery.

Second Lieutenant Romeyn Ayres to be first lieutenant, March 16, 1852, vice Quinby, resigned.

Second Lieutenant Charles C. Churchill to be first lieutenant, June 30, 1852, vice F. J. Thomas, resigned.

Brevet Second Lieutenant John Edwards, jr., to be second lieutenant, March 16, 1852, vice Ayres, promoted.

Brevet Second Lieutenant Edward H. Day, of the Second Regiment of Artillery, to be second lieutenant, June 30, 1852, vice Churchill, promoted.

Fourth Regiment of Artillery.

First Lieutenant Francis N. Clarke to be captain, July 15, 1852, vice Cooper, promoted adjutant-general, who resigns his regimental commission.

Second Lieutenant James Holmes to be first lieutenant, July 15, 1852, vice Clarke, promoted.

Brevet Second Lieutenant Hugh E. Dungan to be second lieutenant, July 15, 1852, vice Holmes, promoted.

I am, sir, with great respect, your obedient servant,

C. M. CONRAD,
Secretary of War.

To the PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I communicate to the Senate herewith for its constitutional action thereon nineteen treaties, negotiated by commissioners on the part of the United States, with various tribes of Indians in the Territory of Oregon, accompanied by a letter to me from the Secretary of the Interior and certain documents having reference thereto.

MILLARD FILLMORE.

WASHINGTON, *July 31st*, 1852.

The messages were read.

Ordered, That the nomination of William A. Nichols and the nominations of officers for regular promotion in the Army of the United States be referred to the Committee on Military Affairs.

The articles of agreement and treaty stipulations entered into at Champoeg, in the Territory of Oregon, on the sixteenth day of April, A. D. 1851, by and between John P. Gaines, Alonzo A. Skinner, and Beverly S. Allen, commissioners plenipotentiary on the part of the Government of the United States of America, and Ti-a-can, alias Louis, principal chief, and Alqua, alias Joseph, and So-phan, subordinate chiefs of the Santiam band of the Call-a-pooya tribe of Indians, were read the first time.

The articles of agreement and treaty stipulations entered into at Champoeg, in the Territory of Oregon, on the nineteenth day of April, A. D. 1851, by and between John P. Gaines, Alonzo A. Skinner, and Beverly S. Allen, commissioners plenipotentiary on the part of the Government of the United States of America, and Ki-a-cut, principal chief, and La Medicine, and Kno-tah, subordinate chiefs of the Twalaty band of the Call-a-pooya band of Indians, were read the first time.

The articles of agreement and treaty stipulations entered into at Champoeg, in the Territory of Oregon, on the second day of May, A. D. 1851, by and between John P. Gaines, Alonzo A. Skinner, and Beverly S. Allen, commissioners plenipotentiary on the part of the Government of the United States of America, and Daboc, alias Jim, principal chief, and Scho-la-que, alias John, and Yoh-kow, subordinate chiefs of the Luck-a-mi-ute band of the Call-a-pooya tribe of Indians, were read the first time.

The articles of agreement and treaty stipulations entered into at Champoeg, in the Territory of Oregon, on the second day of May, A. D. 1851, by and between John P. Gaines, Alonzo A. Skinner, and Beverly S. Allen, commissioners plenipotentiary on the part of the Government of the United States of America, and Yah-whos, alias Thomas, principal chief, and Es-to-le-ah, alias Henry, and Ai-tip, alias Antoine, subor-

dinate chiefs of the Yam-hill tribe of the Call-a-pooya tribe of Indians, were read the first time.

The articles of agreement and treaty stipulations entered into at Champoege, in the Territory of Oregon, on the 6th day of May, A. D. 1851, by and between John P. Gaines, Alonzo A. Skinner, and Beverly S. Allen, commissioners plenipotentiary on the part of the Government of the United States of America, and Guai-eck-e-té, the principal chief, and Yal-kus and Crooked Finger, subordinate chiefs of the principal band of the Moolal-le tribe of Indians, were read the first time.

The articles of agreement and treaty stipulations entered into at Champoege, in the Territory of Oregon, on the 7th day of May, A. D. 1851, by and between John P. Gaines, Alonzo A. Skinner, and Beverly S. Allen, commissioners plenipotentiary on the part of the Government of the United States, and Coast-nah, chief of the Santiam band of the Moolale tribe of Indians, were read the first time.

The articles of a treaty made and concluded at Tansey Point, on the Columbia River, near Clatsop Plains, this 5th day of August, 1851, between Anson Dart, superintendent of Indian affairs, Henry H. Spalding, Indian agent, and Josiah L. Parrish, sub-Indian agent on the part of the United States, of the one part, and the undersigned chiefs and headmen of the Clatsop tribe of Indians of the other part, were read the first time.

The articles of a treaty made and concluded at Tansey Point, on the Columbia River, near Clatsop Plains, this 6th day of August, 1851, between Anson Dart, superintendent of Indian affairs, Henry M. Spalding, Indian agent, and Josiah L. Parrish, sub-Indian agent, on the part of the United States, of the one part, and the undersigned chiefs and headmen of the Naalem band of the Tillamook tribe of Indians of the other part, were read the first time.

The articles of a treaty made and concluded at Tansey Point, in the Columbia River, near Clatsop Plains, this 7th day of August, 1851, between Anson Dart, superintendent of Indian affairs, Henry H. Spalding, Indian agent, and Josiah L. Parrish, sub Indian agent on the part of the United States, of the one part, and the undersigned chiefs and headmen of the Till-mook tribe of Indians of the other part, were read the first time.

The articles of a treaty made and concluded at Tansey Point, on the Columbia River, near Clatsop Plains, this 7th day of August, 1851, between Anson Dart, superintendent of Indian affairs, Henry H. Spalding, Indian agent, and Josiah L. Parrish, sub-Indian agent, on the part of the United States, of the one part, and the undersigned, Walloos-kee, only remaining chief of the Nuc que-clah-we-nuck tribe of Indians, of the other part, were read the first time.

The articles of a treaty made and concluded at Tansey Point, near Clatsop Plains, this 8th day of August, 1851, between Anson Dart, superintendent of Indian affairs, Henry H. Spalding, Indian agent, and Josiah L. Parrish, sub-Indian agent, on the part of the United States, of the one part, and the undersigned chiefs and headmen of the Waukikum band of the Chinook tribe of Indians on the other part, were read the first time.

The articles of a treaty made and concluded at Tansey Point, near Clatsop Plains, this 8th day of August, 1851, between Anson Dart, superintendent of Indian affairs, Henry H. Spalding, Indian agent, and Josiah L. Parrish, sub-Indian agent, on the part of the United States, on the one part, and the undersigned chiefs and headmen of the Ken-naach band of the Chinook tribe of Indians of the other part, were read the first time.

The articles of a treaty made and concluded at Tansey Point, near Clatsop Plains, this 9th day of August, 1851, between Anson Dart, superintendent of Indian Affairs, Henry H. Spalding, Indian agent, and Josiah L. Parrish, sub-Indian agent, on the part of the United States, of the one part, and the undersigned chiefs and headmen of the Kathlamet band of the Chinook tribe of Indians of the other part, were read the first time.

The articles of a treaty made and concluded at Tansey Point, near Clatsop Plains, this 9th day of August, 1851, between Anson Dart, superintendent of Indian affairs, Henry H. Spalding, Indian agent, and Josiah L. Parrish, sub-Indian agent, on the part of the United States, of the one part, and the undersigned chiefs or headmen of the Wheelappa band of the Chinook Indians of the other part, were read the first time.

The articles of a treaty made and concluded at Tansey point, near Clatsop Plains, this 9th day of August, 1851, between Anson Dart, superintendent of Indian Affairs, Henry H. Spalding, Indian agent, and Josiah L. Parrish, sub-Indian agent, on the part of the United States, of the one part, and the undersigned chiefs and headmen of the Lower band of the Chinook Indians of the other part, were read the first time.

The articles of a treaty made and concluded at Tansey point, near Clatsop Plains, this 9th day of August, 1851, between Anson Dart, superintendent of Indian affairs, Henry H. Spalding, Indian agent, and Josiah L. Parrish, sub-Indian agent, on the part of the United States, of the one part, and the undersigned chiefs and headmen of the Kilat-skania band of the Chinook tribe of Indians of the other part, were read the first time.

The articles of a treaty made and concluded at Port Orford, on the Pacific Ocean and in the Territory of Oregon, this 20th day of September, A. D. 1851, between Anson Dart, superintendent of Indian Affairs, Henry H. Spalding, Indian agent, and Josiah L. Parrish, sub-Indian agent, on the part of the United States, and the undersigned, chiefs and headmen of the Ya-su-chah band of Indians of the other part, were read the first time.

The articles of a treaty made and concluded at Port Orford, on the Pacific Ocean, and in the Territory of Oregon, this 20th day of September, A. D. 1852, between Anson Dart, superintendent of Indian Affairs, Henry H. Spalding, Indian agent, and Josiah L. Parrish, sub-Indian agent, on the part of the United States, and the undersigned, chiefs and headmen of the To-to-tan, You-quee-chae and Qua-ton-wah bands of Indians of the other part, were read the first time.

The article of a treaty made and concluded at Oregon City, Oregon Territory, this sixth day of November, 1851, between Anson Dart, superintendent of Indian affairs, on the part of the United States of the one part, and the undersigned chiefs and headmen of the Clackamas tribe of Indians of the other part, were read the first time.

On motion by Mr. Weller,

Ordered, That the nineteen treaties with Indians of Oregon, together with the message and documents accompanying the same, received this day, be referred to the Committee on Indian Affairs.

Mr. Douglas, from the Committee on Foreign Relations, to whom was referred, the 29th July, the nomination of Humphrey Marshall, reported.

The Senate resumed the consideration of the motion submitted by Mr. Weller, the 29th July, relative to the Sandwich Islands ; and,

After debate,

On motion by Mr. Atchison,
The Senate adjourned.

WEDNESDAY, AUGUST 4, 1852.

The Senate resumed the consideration of the resolution submitted by Mr. Gwin the 9th April last; and,

On motion by Mr. Gwin,

Ordered, That it lie on the table.

The Senate proceeded to consider the resolution reported from the Committee on the Judiciary the 7th June, respecting the time of communicating to the President the resolutions confirming nominations.

On motion by Mr. Gwin,

Ordered, That it lie on the table.

The Senate resumed the consideration of the nomination of William H. Emory to be surveyor to run and mark the boundary line with Mexico; and,

On motion by Mr. Gwin,

Ordered, That it be postponed until to-morrow.

The Senate resumed the consideration of the motion submitted by Mr. Weller the 29th July, to remove the injunction of secrecy from the resolution, message, and proceedings in relation to the Sandwich Islands; and,

On motion by Mr. Gwin,

Ordered, That it be postponed until to-morrow.

The Senate proceeded to consider the nominations of Jerome Fuller, John Curry, and Francis W. Rice; and,

On motion by Mr. Gwin,

Ordered, That they be severally postponed until to-morrow.

The Senate proceeded to consider the nominations of Benjamin Patteson and Humphrey Marshall; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Gwin, from the Committee on Finance, to whom was referred the nomination of Howard Millspaugh, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Jones, of Iowa, submitted the following resolution for consideration:

Resolved, That whenever the Senate shall go into executive session the President of the Senate shall admit one or more reporters of debates, who shall have previously qualified by taking an oath before the Presiding Officer of the Senate to preserve inviolably secret the executive and confidential business of the Senate which may come to his or their knowledge, until relieved therefrom by an order of the Senate removing such injunction of secrecy; and that all notes and reports when completed (which shall be done without delay) shall be immediately delivered to the Secretary of the Senate, subject to the order of the Senate.

FRIDAY, AUGUST 6, 1852.

The following message was received from the President of the United States, by Mr. Fillmore, his secretary:

To the Senate of the United States:

I hereby nominate Balis M. Edney, of North Carolina, to be chargé d'affaires of the United States of America to the Republic of Guatemala.

MILLARD FILLMORE.

WASHINGTON, 5th August, 1852.

The message was read.

Ordered, That the nomination of Balis M. Edney be referred to the Committee on Foreign Relations.

On motion by Mr. Archison,

Ordered, That the nineteen treaties with Indians of Oregon, together with the message and documents accompanying the same, received the 3d instant, be printed in confidence for the use of the Senate.

Mr. Mason submitted the following resolution for consideration :

Resolved, That the message of the President of the United States, communicating to the Senate a report of the Secretary of the Interior, in answer to a resolution of the Senate, in relation to the initial point in the Mexican boundary, be transferred from the Senate in executive to the Senate in open session.

On motion by Mr. Mason,

The Senate proceeded to consider the nomination of Alfred Conkling ; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

The Senate resumed the consideration of the nomination of William H. Emory ; and,

On motion by Mr. Adams,

Ordered, That it be postponed until to-morrow.

THURSDAY, AUGUST 12, 1852.

The following messages were received from the President of the United States, by Mr. Fillmore, his secretary :

To the Senate of the United States :

I hereby nominate Hiram Becker, of Michigan, to be marshal of the United States for the district of Michigan, in the place of Charles H. Knox, deceased.

MILLARD FILLMORE.

WASHINGTON, 7th August, 1852.

To the Senate of the United States :

I hereby nominate Henry K. Elkins, of Wisconsin, to be marshal of the United States for the district of Wisconsin, in the place of Lester H. Colton, removed.

MILLARD FILLMORE.

WASHINGTON, 7th August, 1852.

To the Senate of the United States :

I nominate Doctor Charles Sutherland, of Pennsylvania, for the appointment of assistant surgeon of the Army of the United States, to date from August 5, 1852, as proposed in the accompanying communication from the Secretary of War.

MILLARD FILLMORE.

WASHINGTON, August 7, 1852.

WAR DEPARTMENT, August 7, 1852.

SIR : I have the honor respectfully to propose for your approbation, the name of Doctor Charles Sutherland, of Pennsylvania, to be an assistant surgeon in the Army of the United States, vice Nicholas L. Campbell, dismissed, to date from August 5, 1852. Doctor Sutherland,

is the first legally qualified candidate for the appointment of assistant surgeon under the first section of the act "to increase and regulate the pay of the surgeons and assistant surgeons of the Army," approved June 30, 1834.

I am, sir, with great respect, your ob't serv't,

C. M. CONRAD,
Secretary of War.

To the PRESIDENT OF THE UNITED STATES.

To the Senate of the United States :

I hereby nominate Joseph R. Ingersoll, of Pennsylvania, to be envoy extraordinary and minister plenipotentiary of the United States of America at the court of the United Kingdom of Great Britain and Ireland, in the place of Abbott Lawrence, recalled at his own request.

MILLARD FILLMORE,

WASHINGTON, 10th August, 1852.

The messages were read,

Ordered, That the nominations of Hiram Becker and Henry K. Elkins be referred to the Committee on Judiciary.

Ordered, That the nomination of Charles Sutherland be referred to the Committee on Military Affairs.

Ordered, That the nomination of Joseph R. Ingersoll be referred to the Committee on Foreign Relations.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred, the 6th instant, the nomination of Balis M. Edney, reported.

On motion by Mr. Mason,

The Senate proceeded to consider the resolution submitted by him, the 6th instant, to transfer the message relating to the initial point in the Mexican boundary from the executive to the legislative session, and agreed thereto.

The articles of a treaty concluded at Washington on the 22d day of June, 1852, between Kenton Harper, commissioner on the part of the United States, and Colonel Edmund Pickens, Benjamin S. Love, and Sampson Folsom, commissioners duly appointed for that purpose by the Chickasaw tribe of Indians, were read the second time, and considered as in Committee of the Whole and,

On motion by Mr. Underwood,

Ordered, That it be postponed until to-morrow.

On motion by Mr. Pearce,

Ordered, That any correspondence or papers on the executive files of the Senate relating to the nomination of John Howard Payne or in relation to S. D. Heap be returned to the President of the United States.

FRIDAY, AUGUST 13, 1852.

The following messages were received from the President of the United States, by Mr. Fillmore, his secretary :

To the Senate of the United States :

I nominate the officers named in the accompanying communication for regular promotion in the Army of the United States, as proposed by the Secretary of War.

MILLARD FILLMORE.

WASHINGTON, August 10, 1852.

WAR DEPARTMENT, *August 10, 1852.*

SIR: I have the honor to lay before you the annexed list of officers for regular promotion in the Army of the United States.

First Regiment of Artillery.

Major John L. Gardner, of the 4th Regiment of Artillery, to be lieutenant-colonel, August 3, 1852, vice Whiting, deceased.

First Lieutenant James B. Ricketts to be captain, August 3, 1852, vice Webster, promoted major in the Fourth Regiment of Artillery.

Second Lieutenant James E. Slaughter to be first lieutenant, August 3, 1852, vice Ricketts, promoted.

Brevet Second Lieutenant Henry De Neuve to be second lieutenant, August 3, 1852, vice Slaughter, promoted.

Fourth Regiment of Artillery.

Captain Lucian B. Webster, of the First Regiment of Artillery, to be major, August 3, 1852, vice Gardner, promoted lieutenant-colonel of the First Regiment of Artillery.

I am, sir, with great respect, your ob't serv't,

C. M. CONRAD,
Secretary of War.

To the PRESIDENT OF THE UNITED STATES.

To the Senate of the United States :

I nominate Charles G. Hunter to be a lieutenant in the Navy, from the 24th of June, 1834, to take his former rank and position on the Navy Register, next after Lieutenant Benjamin J. Totten, there being now a vacancy.

MILLARD FILLMORE.

WASHINGTON, *August 11, 1852.*

To the Senate of the United States :

I hereby nominate Nathan K. Hall, of New York, to be judge of the district court of the United States for the northern district of New York, in the place of Alfred Conkling, resigned.

MILLARD FILLMORE.

WASHINGTON, *13th August, 1852.*

To the Senate of the United States:

I hereby nominate Lazarus H. Read, of New York, to be chief justice of the supreme court of the United States for the Territory of Utah, in the place of Samuel Stokeley, resigned.

MILLARD FILLMORE.

WASHINGTON, *13th August, 1852.*

To the Senate of the United States :

I hereby nominate Leonidas Shaver, of Missouri, to be associate justice of the supreme court of the United States for the Territory of Utah, in the place of Perry E. Brocchus, removed.

MILLARD FILLMORE.

WASHINGTON, *13th August, 1852.*

To the Senate of the United States :

I transmit a copy of the certificate of the exchange of the ratifications of the general convention of peace, amity, commerce, and navigation between the United States and the Republic of San Salvador, signed at Leon, in Nicaragua, on the 2d of January, 1850. It will be seen that the exchange was not effected until the second of June last, but that it was stipulated that the convention was not to be binding upon either of the parties thereto until the Senate of the United States should have duly sanctioned the exchange.

The Senate by its resolution of the 27th of September, 1850, authorized the exchange to take place at any time prior to the 1st of April, 1851.

Mr. Kerr, the chargé d'affaires of the United States to Nicaragua, however, who was authorized to make the exchange on the part of this Government, was unavoidably detained in that Republic, in consequence of which the exchange could not be effected within the period referred to.

The expediency of sanctioning the exchange which has been made by Mr. Kerr, and of authorizing the convention to go into effect, is accordingly submitted to the consideration of the Senate.

MILLARD FILLMORE.

WASHINGTON, 10th August, 1852.

To the Senate of the United States :

I transmit a report from the Secretary of State upon the subject of the relations between the United States and the Republics of Nicaragua and Costa Rica, in Central America, which has been delayed longer than I desired, in consequence of the ill-health of the Secretary of State.

MILLARD FILLMORE.

WASHINGTON, 13th August, 1852.

The messages were read.

Ordered, That the nominations of officers for promotion in the Army of the United States be referred to the Committee on Military Affairs.

Ordered, That the nominations of Nathan K. Hall, Lazarus H. Read, and Leonidas Shaver be referred to the Committee on the Judiciary.

On motion by Mr. Stockton,

The Senate, by unanimous consent, proceeded to consider the nomination of Charles G. Hunter; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Mason,

Ordered, That the message communicating a copy of the certificate of the exchange of the ratifications of the general convention with the Republic of San Salvador be referred to the Committee on Foreign Relations.

On motion by Mr. Mason,

Ordered, That the message and documents on the relations between the United States and the Republics of Nicaragua and Costa Rica, in Central America, be referred to the Committee on Foreign Relations and printed in confidence for the use of the Senate.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred, the 5th May, the convention for the mutual extension of the jurisdiction of consuls between the United States of America and the free and Hanseatic Republics of Hamburg, Bremen, and Lubeck, concluded at the city of Washington, the thirtieth day of April, anno Domini 1852, reported it without amendment.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred, the 23d June, the convention for the mutual delivery of criminals, fugitives from justice, in certain cases, concluded between the United States on the one part, and Prussia and the other states of the Germanic Confederation on the other part, at Washington, the 16th of June, 1852, reported it without amendment.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred, the 12th instant, the nomination of Joseph R. Ingersoll, reported.

On motion by Mr. Adams,

The Senate resumed the consideration of the treaty with the Chickasaw tribe of Indians; and

Mr. Bell submitted the following amendment, viz: Add the following at the end of the fourth article:

Provided, That the provisions of this article shall not be so construed as to impose any obligation in the United States to reimburse any expenditures heretofore made in conformity with the stipulations contained in the treaties of 1832 and 1844; And provided further, That the United States shall not be liable to repay moneys held in trust for the benefit of orphan and incompetent Chickasaws, in any case in which payment of such moneys has been made upon the recommendation or certificate of the persons appointed for that purpose in the 4th article of the treaty of 1834, or of their successors, and in other respects in conformity with the provisions of that article; And provided further, That the United States shall not be held responsible for any reservation of land or of any sale, lease, or other disposition of the same, made, sold, leased, or otherwise disposed of, in conformity with the several provisions of said treaties of 1832 and 1834.

After debate,

On the question, Shall these words stand as part of the fourth article?

It was determined in the negative, { Yeas..... 21
Nays 14

Those who voted in the affirmative are,

Messrs. Atchison, Bell, Brodhead, Butler, Charlton, Chase, Davis, Douglas, Fish, Hunter, King, Mason, Pearce, Sebastian, Shields, Soulé, Spruance, Sumner, Underwood, Wade, Walker.

Those who voted in the negative are,

Messrs. Adams, Bright, Brooke, Cass, Clarke, De Saussure, Dodge of Wisconsin, Dodge of Iowa, Geyer, James, Meriweather, Morton, Stockton, Toucey.

So two-thirds not having voted in the affirmative, the amendment was not agreed to.

On motion by Mr. Adams that the vote rejecting the said amendment be reconsidered,

It was unanimously determined in the affirmative.

The question was again stated, Shall these words stand as part of the fourth article? and

It was unanimously determined in the affirmative.

Mr. Walker submitted the following amendment, viz: Add the following as a new article:

ARTICLE 10.—*And be it further stipulated that in no case hereafter shall any money due or to be paid under this treaty, or any former treaty, between the same contracting parties, be paid to any agent or attorney, but shall in all cases be paid directly to the party or parties primarily entitled thereto.*

The question was stated, Shall these words stand as part of the treaty? and

It was unanimously determined in the affirmative.

No further amendment being made, the treaty was reported to the Senate and the amendments were unanimously concurred in.

Mr. Atchison submitted the following resolution for consideration :

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the articles of a treaty concluded at Washington on the 22d of June, eighteen hundred and fifty-two, between Kenton Harper, commissioner on the part of the United States, and Colonel Edmund Pickens, Benjamin S. Love, and Sampson Folsom, commissioners duly appointed for that purpose by the Chickasaw tribe of Indians; with the following amendments:

At the end of the fourth article add the following :

Provided, That the provisions of this article shall not be so construed as to impose any obligation on the United States to reimburse any expenditures heretofore made in conformity with the stipulations contained in the treaties of eighteen hundred and thirty-two and eighteen hundred and thirty-four; and provided further, that the United States shall not be liable to repay moneys held in trust for the benefit of orphan and incompetent Chickasaws, in any case in which payment of such moneys has been made upon the recommendation or certificate of the persons appointed for that purpose in the fourth article of the treaty of eighteen hundred and thirty-four, or of their successors, and in other respects in conformity with the provisions of that article; and provided further, that the United States shall not be held responsible for any reservation of land or of any sale, lease, or other disposition of the same, made, sold, leased, or otherwise disposed of, in conformity with the several provisions of said treaties of eighteen hundred and thirty-two and eighteen hundred and thirty-four.

After article nine add the following new article:

ARTICLE 10.—And be it further stipulated, That in no case hereafter shall any money due or to be paid under this treaty or any former treaty between the same contracting parties be paid to any agent or attorney; but shall in all cases be paid directly to the party or parties primarily entitled thereto.

The Senate, by unanimous consent, proceeded to consider the said resolution; and on the question to agree thereto,

Those who voted in the affirmative are,

Messrs. Adams, Atchison, Bell, Borland, Brooke, Butler, Char ton, Davis, De Saussure, Dodge of Wisconsin, Dodge of Iowa, Geyer, James, King, Mason, Meriwether, Morton, Pearce, Sebastian, Shields, Soulé, Spruance, Stockton, Sumner, Underwood, Wade.

Those who voted in the negative are,

Messrs. Brodhead, Chase, Douglas, Fish, Walker.

It appearing that thirty-one Senators only had voted, and the same not being a quorum,

On motion by Mr. Atchison,

The Senate adjourned.

SATURDAY, AUGUST 14, 1852.

On motion by Mr. Atchison,

Ordered, That the injunction of secrecy be removed from the following treaties, to wit:

Treaty with the See-see-toan and Wah-pa-toan bands of Dakota or Sioux Indians, concluded at Traverse des Sioux, the 23d July, 1851.

Treaty with the Med-ay-wa-kan-toan and Wah-pay-koo-tay bands of Dakota or Sioux Indians, concluded at Mendota, the 5th August, 1851.

The Senate resumed the consideration of the resolution of ratification of the treaty with the Chickasaw Indians submitted the 13th instant, and on the question to agree thereto,

It was determined in the affirmative, { Yeas 37
Nays 4

Those who voted in the affirmative are,

Messrs. Adams, Atchison, Bayard, Bell, Borland, Bradbury, Brooke, Cass, Charlton, Clemens, Davis, De Saussure, Dodge of Wisconsin, Dodge of Iowa, Downs, Felch, Foot, Geyer, Hamlin, Hunter, James, Jones of Tennessee, King, Mallory, Mason, Meriwether, Pearce, Sebastian, Seward, Smith, Soulé, Spruance, Sumner, Toucey, Underwood, Wade, Weller.

Those who voted in the negative are,

Messrs. Bright, Chase, Fish, Walker.

So the resolution was agreed to.

Ordered, That the Secretary lay the said resolution before the President of the United States.

SATURDAY, AUGUST 21, 1852.

The following messages were received from the President of the United States, by Mr. Fillmore, his secretary :

To the Senate of the United States :

I hereby withdraw the following nominations, now before the Senate, viz :

Francis W. Rice, of San Francisco, to be consul of the United States for the port of Acapulco, in Mexico, in the place of H. A. McClure, removed.

Orson Hyde, of Utah, to be associate justice of the supreme court of the United States for the Territory of Utah, in the place of Perry E. Brocchus, removed.

MILLARD FILLMORE.

WASHINGTON, August 16, 1852.

To the Senate of the United States:

I hereby nominate E. A. Bradford, of Louisiana, to be one of the associate justices of the Supreme Court of the United States, in the place of John McKinley, deceased.

MILLARD FILLMORE.

WASHINGTON, 16th August, 1852.

To the Senate of the United States:

I nominate Theodore Lewis, of Louisiana, for the appointment of paymaster and military storekeeper in the Ordnance Department, at the Washington Arsenal, vice Joel W. Jones, resigned.

MILLARD FILLMORE.

WASHINGTON, August 16, 1852.

To the Senate of the United States:

I hereby nominate the following-named persons to be consuls of the United States for the ports and places hereafter mentioned, respectively :

John Broadfoot for the port of Leith, in Scotland, in the place of Robert Greive, resigned.

Winston J. Trowbridge, of Connecticut, for the Island of Barbadoes, in the place of William R. Hayes, resigned.

William S. H. Newman, of New York, for the port of St. John's, Newfoundland.

Frederick W. Clark, of New Hampshire, for the port of Sydney, in New South Wales, in the place of James H. Williams, removed.

George M. Farnum, of Massachusetts, for Port Louis, in the Isle of France, or Mauritius, in the place of William Carroll, removed.

John Z. Forney, of Pennsylvania, for St. Iago, in the Cape Verd Islands, in the place of Montgomery D. Parker, resigned.

Nicolas Pike, of New York, for Portugal, in the place of Horace Smith, deceased.

Francis Lance, of South Carolina, for the city of Florence, in the place of Edward Gamage, resigned.

William E. Hines, of Rhode Island, for the port of Mozambique.

William McMullen, of Massachusetts, for the Island of Zanzibar, in the place of Charles Ward, resigned.

Thomas Miller, for the port of Hilo, in the Island of Havana.

Robert S. Cathcart, of Massachusetts, at St. Catharines, in the place of A. M. Ross, deceased.

Thomas J. Tabb, of Virginia, for the port of Laguna de Terminos, in the place of Henry A. Holmes, resigned.

George F. Upton, of Massachusetts, for the port of Rio Grande, in Brazil, in the place of Henry L. Parham, resigned.

MILLARD FILLMORE.

WASHINGTON, *August 18, 1852.*

To the Senate of the United States :

I hereby nominate Miller Grieve, of Georgia, to be chargé d'affaires of the United States of America near the Government of Denmark, in the place of Walter Forward, recalled at his own request.

MILLARD FILLMORE.

WASHINGTON, *19th August, 1852.*

The messages were read.

Ordered, That the nomination of E. A. Bradford be referred to the Committee on the Judiciary.

Ordered, That the nomination of Theodore Lewis be referred to the Committee on Military Affairs.

Ordered, That the nominations of consuls be referred to the Committee on Commerce.

Ordered, That the nomination of Miller Grieve be referred to the Committee on Foreign Relations.

Mr. Rusk, from the Committee on the Post-Office and Post-Roads, to whom were referred, the 20th December last, the nominations of Morris E. Fuller, Benjamin F. Hall, Anson Hart, Miles Nash, James O. Putnam, Dexter C. Bloomer, Alexander McAllister, Norborne C. Brooks, and G. Candee, on the 14th July that of Henry W. Tilley, on the 19th July that of Daniel Bryan, on the 22d July that of Samuel J. Wood, and on the 24th July that of Ezekiel Casner, reported.

Mr. Shields, from the Committee on Military Affairs, to whom were referred, the 3d instant, the nominations of William A. Nichols, Ben Hardin Helm, Gordon Granger, Roger Jones, Jefferson C. Davis, Henry E. Maynadier, William B. Blair, Frank H. Larned, James Thompson, Romeyn B. Ayres, Charles C. Churchill, John Edwards, jr., Edward H. Day, Francis N. Clarke, James Holmes, and Hugh E. Dungan, on the

12th instant that of Charles Sutherland, and on the 13th instant those of John L. Gardner, James B. Rickets, James E. Slaughter, Henry De Veurre, and Lucian B. Webster, reported.

Mr. Felch, from the Committee on Public Lands, to whom were referred, the 20th January, the nominations of Hiland Hall, Harry J. Thornton, and James Wilson, reported.

Mr. Gwin, from the Committee on Naval Affairs, to whom were referred, the 20th December last, the nominations of Lewis E. Simonds, Harrison H. Cocke, William J. McCluney, Lloyd B. Newell, William S. Ogden, Frederick A. Neville, Charles C. Turner, John Manning, James L. Lardner, Henry Rodgers, John M. B. Olitz, John D. Read, Courtlandt Benham, John F. Abbott, George H. Cooper, Bayse N. Westcott, William Winder Pollock, I. Fenwick Stenson, Andrew Bryson, John Downs, jr., Charles M. Morris, Andrew J. Drake, James H. Spotts, James M. Duncan, and Lardner Gibbon, on the 19th April those of Samuel Marcy and John P. Bankhead, on the 28th June those of J. W. A. Nicholson, Thomas G. Corbin, William B. Sinclair, and William L. Nicholson, and on the 29th July those of Gustavus V. Fox, John Mathews, and John C. Coleman, reported.

On motion by Mr. Mason,

The Senate proceeded to consider the nomination of Joseph R. Ingersoll; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Mason,

The Senate proceeded to consider the nomination of Balis M. Edney; and,

On motion by Mr. Pratt,

Ordered, That it be postponed until to-morrow.

MONDAY, AUGUST 30, 1852.

The following messages were received from the President of the United States, by Mr. Fillmore, his secretary:

To the Senate of the United States:

I hereby nominate George N. Eckert (who was appointed during the recess) to be Director of the Mint of the United States at Philadelphia.

MILLARD FILLMORE.

WASHINGTON, 20th August, 1852.

To the Senate of the United States:

The commissions of the postmaster at Astoria, in the Territory of Oregon, having exceeded one thousand dollars for the fiscal year, I hereby nominate Samuel A. Seymour to be deputy postmaster at the place aforesaid.

MILLARD FILLMORE.

EXECUTIVE CHAMBER, August 20, 1852.

To the Senate of the United States:

I hereby nominate Marquis L. Hine, of New York, to be consul of the United States at San José, in the Republic of Costa Rica.

MILLARD FILLMORE.

WASHINGTON, 21st August, 1852.

To the Senate of the United States:

I nominate Joseph H. D. Street, of Iowa, to be register of the land office for the Missouri River district, in the State of Iowa.

S. M. Ballard, of Iowa, to be receiver of public moneys for the Missouri River district, in the State of Iowa.

George Madeira, of Iowa, to be register of the land office for the Chariton district, in the State of Iowa.

William Gilliam, of Iowa, to be receiver of public moneys for the Chariton district, in the State of Iowa.

MILLARD FILLMORE.

EXECUTIVE CHAMBER, *Washington, August 21, 1852.*

To the Senate of the United States:

I nominate George L. Nightengale, of Iowa, to be register of the land office for the northern district, in the State of Iowa;

Eliphalet Price, of Iowa, to be receiver of public moneys for the northern district, in the State of Iowa;

Allen Pierse, of Minnesota Territory, to be register of the land office at Stillwater, in said Territory, vice A. Van Vorhes, removed; and

Jonathan E. McKusick, Minnesota Territory, to be receiver of public moneys at Stillwater, in said Territory, vice Nathaniel G. Wilcox, removed.

MILLARD FILLMORE.

EXECUTIVE CHAMBER, *Washington, August 21, 1852.*

To the Senate of the United States:

I nominate the officers named in the accompanying communication for regular promotion in the Army of the United States, as proposed by the Secretary of War.

MILLARD FILLMORE.

WASHINGTON, *August 18, 1852.*

WAR DEPARTMENT, *August 18, 1852.*

SIR: I have the honor to lay before you the annexed list of officers for regular promotion in the Army of the United States:

Second Regiment of Artillery.

First Lieutenant William F. Barry to be captain, July 1, 1852, vice Blair, commissary of subsistence, who vacates his regimental commission.

Second Lieutenant Wyllly C. Adams to be first lieutenant, July 1, 1852, vice Barry, promoted.

Brevet Second Lieutenant Alexander J. Perry to be second lieutenant, July 1, 1852, vice Adams, promoted.

I am, sir, with great respect, your ob't s^vt,

C. M. CONRAD,

Secretary of War.

To the PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate William E. Everett, now a first assistant engineer, to be a chief engineer in the Navy, to fill a vacancy.

MILLARD FILLMORE.

WASHINGTON, *August 21st, 1852.*

To the Senate of the United States:

I nominate Benjamin R. Bythewood to be collector of the customs for the district and surveyor of the revenue for the port of Beaufort, in the State of South Carolina, his commission as such having expired.

Also, Moses Johnson to be surveyor and inspector of the revenue for the port of Lavaca, in the State of Texas, his commission as such having expired.

Also, Jacob C. Hewlett to be surveyor and inspector of the revenue for the port of Cold Spring, in the State of New York, his commission as such having expired.

Also, George P. Evans to be surveyor and inspector of the revenue for the port of East River, in the State of Virginia, in place of P. T. Yeatman, resigned.

Also, Hopeful Soler to be surveyor and inspector of the revenue for the port of San Pedro, in the State of California, in the place of I. B. Stevens, resigned.

MILLARD FILLMORE.

EXECUTIVE MANSION, 23 August, 1852.

To the Senate of the United States:

I hereby nominate Alexander Campbell to be consul of the United States for the Island of Martinique, in the place of G. G. Fleurot, removed.

MILLARD FILLMORE.

WASHINGTON, 25th August, 1852.

To the Senate of the United States:

I nominate the officers named in the accompanying communication for regular promotion in the Army of the United States, as proposed by the Secretary of War.

MILLARD FILLMORE.

WASHINGTON, August 27, 1852.

WAR DEPARTMENT, August 27, 1852.

SIR: I have the honor to lay before you the annexed list of officers for regular promotion in the Army of the United States:

Second Regiment of Infantry.

Major John J. Abercrombie, of the Fifth Regiment of Infantry, to be lieutenant-colonel, May 1, 1852, vice Jouett, deceased.

Second Lieutenant Caleb Smith to be first lieutenant, January 30, 1852, vice Schureman, deceased.

Brevet Second Lieutenant James Curtiss, jr., to be second lieutenant, January 30, 1852, vice Smith, promoted.

Third Regiment of Infantry.

Lieutenant-Colonel Thomas Staniford, of the Eighth Regiment of Infantry, to be colonel, February 23, 1852, vice Many, deceased.

First Lieutenant Andrew W. Bowman to be captain, June 6, 1852, vice Craig, deceased.

Second Lieutenant Joseph N. G. Whistler to be first lieutenant, June 6, 1852, vice Bowman, promoted.

Brevet Second Lieutenant Matthew L. Davis, jr., to be second lieutenant, vice Whistler, promoted, to date from July 1, 1852.

Fourth Regiment of Infantry.

Second Lieutenant Lewis C. Hunt to be first lieutenant, April 15, 1852, vice Lincoln, deceased.

Brevet Second Lieutenant Frances H. Bates to be second lieutenant, April 15, 1852, vice Hunt, promoted.

Brevet Second Lieutenant Robert Macfeely to be second lieutenant, July 13, 1852, vice Henry, resigned.

Eighth Regiment of Infantry.

Major Washington Seawell, of the Second Regiment of Infantry, to be lieutenant-colonel, February 23, 1852, vice Staniford, promoted colonel of the Third Regiment of Infantry.

I am, sir, with great respect, your obedient servant,

C. M. CONRAD,
Secretary of War.

To the PRESIDENT OF THE UNITED STATES.

To the Senate of the United States :

I hereby nominate Henry Major, of Pennsylvania, to be consul of the United States at Tunis, in the place of John Howard Payne, deceased,
MILLARD FILLMORE.

WASHINGTON, 28th August, 1852.

To the Senate of the United States :

I hereby nominate George W. Slacum, of Virginia, to be consul of the United States for the port of Acapulco, in Mexico, in the place of F. W. Rice, whose nomination is withdrawn.
MILLARD FILLMORE.

WASHINGTON, 28th August, 1852.

To the Senate of the United States :

I hereby nominate Charles S. J. Goodrich, of New York, to be consul of the United States for the port of Lyons, in France, in the place of George K. Rogers, resigned.
MILLARD FILLMORE.

WASHINGTON, 28th August, 1852.

To the Senate of the United States :

I hereby nominate Charles F. Train, of Massachusetts, to be associate justice of the Supreme Court of the United States for the Territory of Oregon, to take effect from the 18th day December next, in the place of J. C. Pratt, whose term will then expire.
MILLARD FILLMORE.

WASHINGTON, 28th August, 1852.

To the Senate of the United States :

I hereby nominate Joseph Stillwell, of Arkansas, to be attorney of the United States for the eastern district of Arkansas, in the place of A. Fowler, resigned.
MILLARD FILLMORE.

WASHINGTON, 28 August, 1852.

To the Senate of the United States :

I nominate the following persons for the offices designated in connection with their names respectively :

Andrew Jackson Smith to be agent for the Chickasaws, vice Kenton Harper, resigned.

Michael Steck to be agent for Indians in New Mexico, vice A. R. Woolley, removed.

Samuel B. Sheldon to be agent for Indians in California, vice Pearson B. Reading, who declines.

Benjamin D. Wilson to be agent for Indians in California, vice O. M. Wozencraft, removed.

MILLARD FILLMORE.

WASHINGTON, *August 28, 1852.*

To the Senate of the United States :

I nominate Samuel B. Sheldon to be agent for the Indians in California, to correct an error in the previous nomination wherein the name was given as Samuel Sheldon.

MILLARD FILLMORE.

EXECUTIVE CHAMBER, *August 30, 1852.*

To the Senate of the United States :

I nominate William Gilliam, of Iowa, to be register of the land office for the Chariton district, in the State of Iowa, in place of George Madeira, whose name is withdrawn; and Isaac Leffler, of Iowa, to be receiver of public moneys for the Chariton district, in the State of Iowa, in place of William Gilliam, whose nomination to the office of receiver is withdrawn.

MILLARD FILLMORE.

EXECUTIVE CHAMBER, *August 30th, 1852.*

To the Senate of the United States :

I nominate George Gibbs to be collector of the customs for the district of Oregon and inspector of the revenue for the port of Astoria, in the place of John Adair, whose commission expired on the 15th instant.

MILLARD FILLMORE.

EXECUTIVE MANSION, *Washington, August 30, 1852.*

To the Senate of the United States :

I nominate John T. Towers to the office of Superintendent of the Public Printing, created by the act of Congress approved 26th of August, 1852.

MILLARD FILLMORE.

EXECUTIVE CHAMBER, *August 30th, 1852.*

To the Senate of the United States :

I nominate Robert L. Stevens, of New York; Samuel Hall, of Boston, Massachusetts; Hiram Barton, of Buffalo, New York; Davis Embree, of Saint Louis, Missouri; Benjamin Crawford, of Pittsburgh, Pennsylvania; John Shallcross, of Louisville, Kentucky; Peyton H. Skipwith, of New Orleans, Louisiana; John Murray, of Baltimore, Maryland; George W. Dole, of Chicago, Illinois, to be supervising inspectors of steamboats.

MILLARD FILLMORE.

EXECUTIVE CHAMBER, *30th August, 1852.*

To the Senate of the United States :

I hereby nominate Henry Z. Hayner, of the State of New York, to be chief justice of the Territory of Minnesota, in the place of Jerome Fuller, whose commission will expire with the present session of the Senate.

MILLARD FILLMORE.

EXECUTIVE CHAMBER, August 30, 1852.

To the Senate of the United States :

I transmit to the Senate, for its consideration with a view to ratification, a convention between the United States and Belgium for regulating the right of inheriting and acquiring property, signed in this city on the twenty-fifth instant.

MILLARD FILLMORE.

WASHINGTON, August 27th, 1852.

To the Senate of the United States :

I transmit to the Senate, for its consideration with a view to ratification, a supplementary convention relative to commerce and navigation between the United States and the Netherlands, signed in this city on the 26th instant.

MILLARD FILLMORE.

WASHINGTON, August 27, 1852.

To the Senate of the United States :

As it is not deemed advisable that the instruction to Mr. R. M. Walsh, a copy of which is herewith transmitted, should be published at this time, I communicate it confidentially to the Senate in executive session.

MILLARD FILLMORE.

WASHINGTON, 27th August, 1852.

The messages were read.

Ordered, That the nomination of George N. Eckest be referred to the Committee on Finance.

Ordered, That the nominations of Marquis L. Hine, Henry Major, George W. Slacum, George Hibbs, Robert L. Stevens, Samuel Hall, Hiram Barton, Davis Embree, Benjamin Crawford, John Shallcrop, Peyton H. Skipwith, John Murray, and George W. Dole be referred to the Committee on Commerce.

Ordered, That the nominations of Joseph H. D. Street, S. M. Ballard, George L. Nightengale, Eliphalet Price, Allen Pierse, Jonathan E. McKusick, William Gilliam, and Isaac Leffler be referred to the Committee on Public Lands.

Ordered, That the nominations of Charles F. Train and Henry Z. Hayner be referred to the Committee on the Judiciary.

Ordered, That the nominations of Andrew Jackson Smith, Michael Steck, Samuel B. Sheldon, and Benjamin D. Wilson be referred to the Committee on Indian Affairs.

Ordered, That the nomination of John T. Towers be referred to the Committee on Printing.

The Senate, by unanimous consent, proceeded to consider the nominations of Samuel A. Seymour, William F. Barry, Wylly C. Adams, Alexander J. Perry, William E. Everett, Benjamin R. Bythewood, Moses Johnson, Jacob C. Hewlett, George P. Evans, Hopeful Toler, Alexander Campbell, John J. Abercrombie, Caleb Smith, James Curtis, jr., Thomas Staniford, Andrew W. Bowman, Joseph N. G. Whistler,

Matthew L. Davis, jr., Lewis C. Hunt, Francis H. Bates, Robert Macfeely, Washington Seawell, Charles S. J. Goodrich, and Joseph Stillwell, and

Resolved, That the Senate advise and consent to the appointment and promotion of the said persons, agreeably to their nominations respectively.

The convention between the United States of America and Belgium for regulating the right of inheriting and acquiring property, concluded at the city of Washington the 25th day of August, in the year of our Lord 1852, was read the first time.

On motion by Mr. Mason,

Ordered, That it lie on the table, and, together with the message, be printed in confidence for the use of the Senate.

The supplementary convention, relative to commerce and navigation between the United States of America and His Majesty the King of the Netherlands, concluded at Washington the 26th day of August, in the year of our Lord 1852, was read the first time.

On motion by Mr. Mason,

Ordered, That it lie on the table, and, together with the message, be printed in confidence for the use of the Senate.

On motion by Mr. Mason,

Ordered, That the message from the President communicating instructions to R. M. Walsh, for his government in his proceedings in St. Domingo, lie on the table and be printed in confidence for the use of the Senate.

Mr. Badger, from the Committee on the Judiciary, to whom were referred, the 13th August, the nominations of Nathan K. Hall, Lazarus H. Read, and Leonidas Shaver, and on the 21st August that of E. A. Bradford, reported.

Mr. Rusk, from the Committee on the Post-Office and Post-Roads, to whom were referred, the 8th July, the nominations of William G. Clarkson, H. I. Richmond, James Cushing, Robert D. Foster, Stephen S. Brooks, and John R. Wilson, reported.

Mr. Miller, from the Committee on Finance, to whom was this day referred the nomination of George N. Eckert, reported.

Mr. Felch, from the Committee on Public Lands, to whom was referred, the 20th January last, the nomination of Francis Springer, and on this day those of Joseph H. D. Street, S. M. Ballard, George L. Nightengael, Eliphalet Price, Allen Pierse, Jonathan E. McKusick, William Gilliam, and Isaac Leffler, reported.

Mr. Atchison, from the Committee on Indian Affairs, to whom were this day referred the nominations of Andrew Jackson Smith, Michael Steck, Samuel B. Sheldon, and Benjamin D. Wilson, reported.

Mr. Shields, from the Committee on Military Affairs, to whom was referred, the 21st August, the nomination of Theodore Lewis, reported.

Mr. Geyer, from the Committee on the Judiciary, to whom was this day referred the nomination of Charles F. Train, reported.

Mr. Hamlin, from the Committee on Commerce, to whom were this day referred the nominations Marquis L. Hine, Henry Major, George W. Slacum, and George Gibbs, reported.

Mr. Hamlin, from the Committee on Printing, to whom was this day referred the nomination of John T. Towers, reported.

Mr. Davis, from the Committee on Commerce, to whom were this day referred the nominations of Robert L. Stevens, Samuel Hall, Hiram Barton, Davis Embree, Benjamin Crawford, John Shallcross, Peyton H. Skipwith, John Murray, and George W. Dole, reported.

Mr. Soulé, from the Committee on Commerce, to whom were referred, the 21st August, the nominations of John Broadfoot, Winston J. Trowbridge, William S. H. Newman, Frederick W. Clark, George M. Farnum, John L. Forney, Nicholas Pike, Francis Lance, William E. Hines, William McMullen, Thomas Miller, Robert S. Cathcart, Thomas J. Tabb, and George F. Upton, reported.

Mr. Downs, from the Committee on the Judiciary, to whom were referred, the 12th August, the nominations of Hiram Becker and Henry K. Elkins, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred, the 21st August, the nomination of Miller Grieve, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Soulé, from the Committee on Commerce, to whom was referred, the 20th December last, the nomination of L. E. Reynolds, reported.

Whereupon

Resolved, That the Senate do not advise and consent to the appointment of L. E. Reynolds to be acting architect for continuing the construction of the custom-house at New Orleans, in the State of Louisiana.

The Senate proceeded to consider the resolution submitted by Mr. Jones, of Iowa, the 4th August, for admitting reporters of debates in executive session; and,

On motion by Mr. Jones, of Iowa,

Ordered, That it lie on the table.

The Senate resumed the consideration of the nomination of William H. Emory; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

The Senate resumed the consideration of the motion submitted by Mr. Weller the 29th of July, to remove the injunction of secrecy from the resolution, message, and proceedings in relation to the Sandwich Islands; and,

On motion by Mr. Weller,

Ordered, That it lie on the table.

The Senate resumed the consideration of the nomination of Henry K. Craig; and

Resolved, That the Senate advise and consent to his promotion in the Ordnance Department in the Army, agreeably to the nomination.

The Senate proceeded to consider the nominations of Rufus L. Baker, Edward Harding, Peter V. Hagner, Thomas J. Brereton, Stephen V. Benét, and Silas Crispin; and

Resolved, That the Senate advise and consent to the promotion of the said persons in the Ordnance Department of the Army, agreeably to the nominations respectively.

The Senate resumed the consideration of the nomination of Jerome Fuller; and

Resolved, That the Senate do not advise and consent to the appointment of Jerome Fuller, of New York, to be chief justice of the supreme court of the United States for the Territory of Minnesota, in the place of Aaron Goodrich, removed.

The Senate resumed the consideration of the nomination of John Curry; and,

On motion by Mr. Weller,

Ordered, That it lie on the table.

The convention for the mutual extension of the jurisdiction of consuls between the United States of America and the free and Hanseatic Republics of Hamburg, Bremen, and Lubeck, concluded at the city of Washington the 30th day of April, anno Domini 1852, was read the second time, and considered as in Committee of the Whole; and no amendment being made thereto, it was reported to the Senate.

Mr. Mason submitted the following resolution for consideration:

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the convention for the mutual extension of the jurisdiction of consuls between the United States of America and the free and Hanseatic Republics of Hamburg, Bremen, and Lubeck, concluded at the city of Washington the 30th day of April, anno Domini 1852.

The Senate, by unanimous consent, proceeded to consider the said resolution, and unanimously agreed thereto.

Ordered, That the Secretary lay the said resolution before the President of the United States.

The convention for the mutual delivery of criminals, fugitives from justice, in certain cases, concluded between the United States on the one part and Prussia and other States of the Germanic Confederation on the other part, at Washington the 16th of June, 1852, was read the second time, and considered as in Committee of the Whole; and,

On motion by Mr. Rusk,

Ordered, That it lie on the table.

The Senate resumed the consideration of the nomination of Balis M. Edney; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

The Senate proceeded to consider the nomination of John W. T. Gardiner and other officers for promotion in the First Regiment of Dragoons, as contained in the message received the 23d December last; and,

On motion by Mr. Downs,

Ordered, That they be postponed until to-morrow.

The Senate proceeded to consider the nominations of Morris E. Fuller, Benjamin F. Hall, Anson Hart, Miles Nash, James O. Putnam, Dexter C. Bloomer, Alexander McAllister, Norborne C. Brooks, J. G. Candee, Henry W. Tilley, Daniel Bryan, Samuel J. Wood, Ezekiel Casner, William A. Nichols, Ben Hardin Helm, Gordon Granger, Roger Jones, Jefferson C. Davis, Henry E. Maynadier, William B. Blair, Frank H. Larned, James Thompson, Romeyne B. Ayres, Charles C. Churchill, John Edwards, junr., Edward H. Day, Francis N. Clarke, James Holmes, Hugh E. Dungan, Charles Sutherland, John L. Gardner, James B. Ricketts, James E. Slaughter, Henry De Veuve, Lucian B. Webster, Hiland Hall, and Harry J. Thornton; and

Resolved, That the Senate advise and consent to the promotion and appointment of the said persons, agreeably to their nominations respectively.

The Senate proceeded to consider the nomination of James Wilson; and,

After debate,

On the question, Will the Senate advise and consent to the appointment of James Wilson?

It was determined in the negative, { Yeas..... 17
Nays 23

On motion by Mr. Stockton,

The yeas and nays being desired by one-fifth of the Senators present,
Those who voted in the affirmative are,

Messrs. Badger, Bell, Brooke, Clarke, Cooper, Dawson, Foot, Geyer, Hale, Mangum, Miller, Morton, Seward, Smith, Spruance, Upham, Wade.

Those who voted in the negative are,

Messrs. Adams, Bayard, Borland, Brodhead, Clemens, De Saussure, Dodge of Iowa, Downs, Felch, Gwin, Houston, Hunter, Jones of Iowa, King, Mason, Meriwether, Pratt, Rusk, Shields, Soulé, Stockton, Walker, Weller.

So it was

Resolved, That the Senate do not advise and consent to the appointment of James Wilson, of California, to be a commissioner under the act of Congress approved 3d of March, 1851, entitled, "An act to ascertain and settle the private land claims in the State of California."

TUESDAY, AUGUST 31, 1852.

The following messages were received from the President of the United States, by Mr. Fillmore, his secretary :

To the Senate of the United States :

I hereby nominate Samuel D. Hubbard, of the State of Connecticut, to be Postmaster-General, in the place of Nathan K. Hall, resigned.

MILLARD FILLMORE.

EXECUTIVE CHAMBER, August 31, 1852.

To the Senate of the United States :

I hereby nominate Joseph H. Nicholson, of Maryland, to be consul of the United States at Tunis, in the place of Henry Major, whose nomination for that office is hereby withdrawn at his own request.

MILLARD FILLMORE.

WASHINGTON, August 31, 1852.

To the Senate of the United States :

I nominate Charles J. Brenham to be treasurer of the mint at San Francisco, in the State of California.

MILLARD FILLMORE.

EXECUTIVE CHAMBER, Washington, August 31, 1852.

To the Senate of the United States :

I nominate Gustavus A. Henry to be a commissioner under the act of Congress approved 3d of March, 1851, entitled "An act to ascertain and settle the private land claims in the State of California."

MILLARD FILLMORE.

EXECUTIVE CHAMBER, August 31, 1852.

The messages were read.

The Senate, by unanimous consent, proceeded to consider the nominations contained therein; and

Resolved, That the Senate advise and consent to the appointment of Samuel D. Hubbard, Joseph H. Nicholson, Charles J. Brenham, and Gustavus A. Henry, agreeably to their nominations respectively.

Mr. Downs, from the Committee on the Judiciary, to whom was referred, the 30th instant, the nomination of Henry Z. Hayner, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

The Senate proceeded to consider the nominations of Lewis E. Simonds, Harrison H. Cocke, William J. McCluney, Lloyd B. Newell, William S. Ogden, Frederick A. Neville, Charles C. Turner, John Manning, James L. Lardner, Henry Rodgers, John M. B. Clitz, John D. Read, Courtlandt Benham, John F. Abbott, George H. Cooper, Bayse N. Westcott, William Winder Pollock, J. Fenwick Stenson, Andrew Bryson, John Downs, jr., Charles M. Morris, Andrew J. Drake, James H. Spotts, James M. Duncan, Lardner Gibbon, Samuel Marcy, John P. Bankhead, J. W. Nicholson, Thomas G. Corbin, William B. Sinclair, William L. Nichol, Gustavus V. Fox, John Matthews, and John C. Coleman; and,

On motion by Mr. Bayard,

Ordered, That the said nominations lie on the table.

The Senate proceeded to consider the nomination of E. A. Bradford; and,

On motion by Mr. Gwin,

Ordered, That it lie on the table.

The Senate proceeded to consider the nominations of Nathan K. Hall, Lazarus H. Read, Leonidas Shaver, William G. Clarkson, H. I. Richmond, James Cushing, Robert D. Foster, Stephen S. Brooks, John R. Wilson, George N. Eckert, Francis Springer, Andrew Jackson Smith, Michael Steck, Samuel B. Sheldon, Benjamin D. Wilson, Joseph H. D. Street, S. M. Ballard, George L. Nightengale, Eliphalet Price, Allen Pierse, Jonathan E. McKusick, William Gilliam, Isaac Leffler, Theodore Lewis, Charles F. Train, Marquis L. Hine, George W. Slacum, George Gibbs, John T. Towers, Robert L. Stevens, Samuel Hall, Hiram Barton, Davis Embree, Benjamin Crawford, John Shallcross, Peyton H. Skipwith, John Murray, George W. Dole, John Broadfoot, Winston J. Trowbridge, William S. N. Newman, Frederick W. Clark, George N. Farum, John Z. Forney, Nicholas Pike, Francis Lance, William E. Hines, William McMullen, Thomas Miller, Robert S. Cathcart, Thomas J. Tabb, and George F. Upton; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Atchison, from the Committee on Indian Affairs, to whom were referred, the 3d instant, nineteen treaties made with certain bands and tribes of Indians in the Territory of Oregon, reported them severally without amendment.

On motion by Mr. Atchison,

Ordered, That the said treaties lie on the table.

Mr. Badger, from the Committee on the Judiciary, to whom was referred, the 15th January last, the memorial of Charles Gratiot, submitted the following report:

The Committee on the Judiciary, to whom was referred the memorial of General Charles Gratiot, after a careful consideration thereof, ask leave to report:

That the prayer of the petition is for the expression of the opinion of the Senate upon the legality of the proceedings in the dismissal of the petitioner from the Army of the United States.

The simple expression of such an opinion scarcely seems consistent with the duty of the Senate, or compatible with the public interests, for

it would very possibly imply the necessity of ulterior proceedings, no contemplated in the petition and which it would be manifestly improper to originate in this wise or from this committee at all. As far, however, as the committee may be justified in pursuing the course desired they will proceed very cheerfully.

The career of the petitioner in the Army of the United States during a long period of nearly forty years is a matter of history, that may justly excite the pride and admiration of every American citizen. Brave in battle, he presided for a long time with distinguished honor and ability at the head of one of the most difficult and arduous bureaux of the military department, and has left to the country lasting monuments of his skill and science in the construction of various magnificent fortifications, both to exhibit her strength and to ensure her safety.

While thus honorably and usefully employed in the public service for so many years, he was constantly confided in by his country, and never abused her confidence, in the disbursement of immense sums of money, and lived honored and respected by all classes of men, with no taint of suspicion attaching to his name.

With a character so high to sustain him, the charge of malfeasance in office should be received with great caution by the people and rigidly scrutinized by Congress, and no unjust influences of any nature whatsoever should be permitted to prevail in his case, but if unfortunately such influences do obtain ground, then it is obviously the imperative duty of Congress to remove them, for no higher duty devolves upon the Federal legislature than the protection of the honor of its military officers, of which it is, necessarily, to a very great extent, the chief custodian.

In the attainment of this object, no obstacle whatever should be allowed to interfere. Wherein legislation is deficient, it should be supplied and all bars of rules and regulations of the service should be removed, for nothing can be so dear to the American officer as his honor, and nothing should be more assiduously guarded by the American people than that, for the honor of the soldiers of the Republic is in no small measure the life and spirit of enlightened freedom. With these brief general observations, the committee will as briefly revert to the case of the petitioner.

The case of General Charles Gratiot, who was the Chief of the Corps of Engineers in the Army of the United States, has been so elaborately discussed in every circle, and so fully reported upon to Congress, that the history of the whole case is familiar to every one.

The alleged grievance which constitutes the cause of his dissatisfaction was the summary dismissal of the petitioner from the Army in the year 1838 by the President of the United States; first, upon the plea that the power thus exercised was arbitrary and contrary to the true meaning and intent of the act of Congress conveying it, and secondly, that a defalcation in the accounts of the petitioner, which was the cause assigned for the removal, did not and never did exist in truth.

In support of his first plea, the petitioner exhibits a mass of testimony, which is certainly entitled to be very calmly weighed and measured, and amongst the same is the opinion of the general commanding in chief upon a parallel case, than which no authority can be higher.

In support of the second plea, he denies totally the truth of the charge of defalcation, and contends that he is not, and never was, indebted to the United States for moneys misused by him, and that a just and legal adjustment of his accounts will bring the United States in debt to him; that the withholding of the funds upon the demand of the Secretary

of War was a measure of self-defense justified by the circumstances of the case, and that he was then, and is now, prepared for an equitable settlement, which is his demand and desire.

It seems to the committee that both of the pleas are reasonable, and should receive attention, urged as they are, with the earnestness of conscious rectitude, by a gallant soldier, who has acquired a right to be heard from the blood he has spilled in battle.

Further than this the committee regret that they cannot go, as it is not in their power to afford an adequate remedy by recommending the passage of any law for the relief of the petitioner; and they, therefore, ask leave to be discharged from the further consideration of the subject.

The report was read.

The Senate, by unanimous consent, proceeded to consider the said report, and, in concurrence therewith,

Ordered, That the committee be discharged from the further consideration of the subject.

On motion by Mr. Badger,

Ordered, That the injunction of secrecy be removed from the said report and proceedings thereon and the documents submitted therewith, and that they be printed for the use of the Senate.

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